



## ***Local Programs Procedures***

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### **LPP 96-04 Environmental Procedures**

References: LPP 95-07, Attachment 2, Environmental Procedures

Effective Date: August 15, 1996

Approved: \_\_\_\_\_

Assistant Program Manager  
State and Local Project Development

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The purpose of this Local Programs Procedure (LPP) is to:

1. Clarify recent changes in the environmental procedures.
2. Distribute current policy regarding:
  - The preliminary environmental investigation process.
  - The Preliminary Environmental Study (PES) form and instructions for completing the PES form.
  - The appropriateness of the Programmatic Categorical Exclusion (CE).
  - The Annual Reporting Requirement for the Programmatic Categorical Exclusion.

This LPP replaces Attachment 2, Environmental Procedures, of LPP 95-07.

The attachment to this LPP (*Chapter 6, Preliminary Environmental Studies/Programmatic Categorical Exclusion*) will be incorporated into the new *Local Assistance Procedures Manual*.

### **CURRENT PROCEDURES**

LPP 95-07 provided general procedures for undertaking the preliminary environmental investigation, completing the PES form, and determining the appropriate level of environmental document.

LPP 95-07 indicated that when preliminary environmental studies completely support the conclusion, the local agency would process the project with a Programmatic CE and that when additional studies are necessary, local agencies would process the project with a CE.

LPP 95-07 required completion of all sections of the PES for each project.

## **NEW PROCEDURES**

LPP 96-04 and the accompanying attachment, *Local Assistance Procedures Manual, Chapter 6, Preliminary Environmental Studies/Programmatic Categorical Exclusion*, provide greater clarification of the information and procedures contained in LPP 95-07 and make the following changes:

### **Preliminary Environmental Studies**

Provides "detailed" step-by-step instructions for undertaking the preliminary environmental investigation, completing the PES form, and determining the appropriate level of environmental document.

Provides an easy-to-follow flowchart, delineating in graphic format the most expedient path for completing the preliminary environmental investigation and the PES form, and for determining the appropriate level of environmental document.

Minimizes the amount of information necessary on the PES form. It is no longer necessary to complete the entire PES form; for example, when all of the questions in Sections A & B (except #13) can be answered "no."

### **Programmatic Categorical Exclusion**

Provides broad flexibility for use of the Programmatic CE. District Local Assistant Engineer may approve a Programmatic Categorical Exclusion for a local agency project when:

- All of the questions in Sections A & B of the PES form (except #13) can be answered "no"
- Following additional "required studies," (approved by FHWA where necessary) which demonstrate that the specific conditions support the classification

### **Other Federal Environmental Laws and Interagency Agreements**

Introduces several environmental laws and interagency agreements which were not discussed in the LPP. These include:

- Presidential Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations"
- Clean Air Act, as amended, 1990 (23 CFR 771 and 40 CFR 51 and 93)
- Programmatic Agreement Regarding the Seismic Retrofit of Bridge Structures in California
- Bikeways and Walkways Programmatic 4(f) Evaluation
- Historic Bridge Programmatic 4(f) Evaluation for Minor Use of Parklands
- Nationwide Section 4(f) Evaluation
- Minor Involvement with Historic Sites Nationwide Section 4(f) Evaluation

**Environmental Assessment (EA) and Environmental Impact Statement (EIS)**

Provides additional clarification on the applicability of EAs and EISs. Detailed procedures for preparing and processing CEs, EAs, and EISs are still contained in the *Local Programs Manual, Volume III*.

Specific instructions for preparing and processing other federal environmentally related processes, such as Section 4(f), Section 106, Section 7, E.O. 11990, and E.O. 11988 are also contained in the *Local Programs Manual, Volume III*.

Attachment

# CHAPTER 06 PRELIMINARY ENVIRONMENTAL STUDIES/ PROGRAMMATIC CATEGORICAL EXCLUSION

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## CHAPTER 6 PRELIMINARY ENVIRONMENTAL STUDIES/ PROGRAMMATIC CATEGORICAL EXCLUSION

### 6.1 INTRODUCTION

One of the most important phases of the project development process is full and early compliance with the provisions of the National Environmental Policy Act (NEPA) and the implementing regulations thereto. Local agencies may not proceed with the final design, right-of-way acquisition, or construction phases of a project until full compliance with the provisions of the NEPA have been documented and approved by the Federal Highway Administration (FHWA). Failure to follow this requirement will make the project ineligible for FHWA reimbursement.

The environmental procedures contained in this manual pertain exclusively to Federal-aid local assistance projects off the State highway, and may not adequately address the environmental requirements for local agency projects on State highways, or transit projects administered by the Federal Transit Administration (FTA). Refer to the Caltrans *Environmental Handbook* for guidance on preparing environmental documents for local agency projects on State highways and refer to the “Federal Transit Administration (FTA) Procedures and Technical Methods for Transit Project Planning” for transit projects.

This chapter provides an overview of the NEPA process and the other Federal environmentally-related processes which must be completed prior to receiving Federal-aid.

Since the majority of Federal-aid local assistance projects qualify for Programmatic Categorical Exclusion (CE) from the provisions of NEPA, this Chapter is limited to preliminary environmental studies, completion of the Preliminary Environmental Study (PES) form, and processing of a Programmatic CE.

Local agencies should refer to the *Local Programs Manual, Volume III* for detailed instructions on preparing and processing environmental documents in support of projects that do not qualify for a Programmatic CE.

### AUTHORITY

The **National Environmental Policy Act (NEPA)**, and its supporting Federal regulations establish certain requirements which must be adhered to for any project “...financed assisted, conducted or approved by a federal agency...”. In short, federal regulations require that a federal agency “...determine whether the proposed action may significantly affect the quality of the human environment”. Brief summaries of relevant Federal statutes are provided below:

- The National Environmental Policy Act of 1969, as amended, is the basic national charter for protection of the environment. It establishes policy, sets goals (Section 101(b)) and provide a means (Section 102) for carrying out the policy. Section 102 (2) of the Act contains “action-forcing” provisions to ensure Federal agencies act according to the letter and spirit of the Act. (Refer to the *Local Programs Manual, Volume III, Appendix E* for a copy of the NEPA).

- On November 29, 1978, the Council of Environmental Quality (CEQ) issued 40 CFR Part 1500, “Regulations for Implementing the Procedural Provisions of the National Environmental Policy Act”, specifying Federal agency actions required to comply with the procedures and achieve the goals of the Act. (Refer to the *Local Programs Manual, Volume III, Appendix E* for a copy of 40 CFR 1500.)
- In response to the CEQ regulation the U.S. Department of Transportation (U.S. DOT) issued the U.S. DOT Order 5610.1C, effective September 18, 1979, establishing the general procedures and requirements for consideration of environmental impacts by agencies within the U.S. DOT.
- The CEQ regulation and the DOT order require agencies such as the Federal Highway Administration (FHWA) to develop supplementary implementing procedures to fully integrate the agency’s program with the CEQ regulation and the DOT order. The FHWA developed 23 CFR 771 to establish the specific NEPA requirement that must be followed by the FHWA and by applicants for grants, permits, and other actions. (Refer to *Local Programs Manual, Volume III, Appendix A* for a copy of 23 CFR 771).
- On October 30, 1987, the FHWA issued guidance (FHWA Technical Advisory T6640.8A) on the preparation and processing of environmental and Section 4(f) documents.

## ROLES AND RESPONSIBILITIES

### LOCAL AGENCY

- Conducts preliminary research and resource agency coordination, and provides documentation of the results as necessary, to accurately respond to the questions on the Preliminary Environmental Study (PES) form (Exhibit A).
- Is responsible for the format and content of its environmental documents for compliance with NEPA, other Federal environmental related processes (as discussed in this Chapter and in the *Local Programs Manual, Volume III*) and the *California Environmental Quality Act* (CEQA).
- Is responsible for maintaining copies of environmental documents and supporting documentation for a period of three (3) years following FHWA approval of the environmental document, or for a period of one (1) year following project construction, whichever is shorter. If mitigation is required, environmental documentation shall be maintained until all required mitigation has been fully implemented.

### CALTRANS

- District Local Assistance Engineer (DLAE) coordinates with the FHWA and determines the level of involvement that is necessary after reviewing the PES form and supporting information, and calls for an on-site visit, if needed.
- DLAE reviews local agency environmental documents and other Federal environmentally related reports for "completeness and sufficiency", determines whether Programmatic Categorical Exclusions apply or processes documents, and reports to the FHWA.

- DLAE transmits all correspondence and documentation between the local agency and the FHWA.
- DLAE maintains a log of the projects processed with a Programmatic Categorical Exclusion, and provides an annual list of those projects to the FHWA at the beginning of each Federal fiscal year.
- DLAE maintains the record of environmental documents, for tracking compliance, and provides training.
- District and Headquarters environmental staff provide expertise as needed.
- Office of Local Programs (OLP) maintains and updates the procedural guidance provided in Chapter 6 of the *Local Assistance Procedures Manual*, and the *Local Programs Manual*, Volume III, and provides training.
- OLP performs process reviews to assess compliance with FHWA requirements.

### **FHWA**

- Is responsible for enforcing the National Environmental Policy Act (NEPA).
- Reviews, indicates concurrence, and processes reports required by other Federal environmental related laws prior to Caltrans approval of the Programmatic Categorical Exclusion
- Reviews and signs the PES form for determination of environmental document type (Categorical Exclusion (CE), Environmental Assessment (EA), and Environmental Impact Statement (EIS)).
- Reviews and comments on the sufficiency of environmental documents (CEs, EAs, and EISs) and required reports, and processes reports and documents appropriately.
- Consults with appropriate State and Federal agencies.
- Approves environmental documents.

### **OTHER STATE AND FEDERAL RESPONSIBLE AND REGULATORY AGENCIES**

- Determine whether the local agency action complies with the provisions of law germane to their statutory responsibility.

### **APPLICABILITY**

Any local assistance project, “...*financed, assisted, conducted or approved by a federal agency...*” (i.e.; FHWA), is subject to the *National Environmental Policy Act* (NEPA) (40 CFR 1508.18(a)). In cases where only a phase or segment of a local agency project is financed with Federal funds, FHWA will be consulted to determine the scope of the FHWA responsibility under NEPA. The scope of NEPA responsibility is not determined based on funding alone.



## SCIENTIFIC AND COMMERCIAL DATA

The *National Environmental Policy Act* requires that environmental information be “... of high quality based on accurate scientific analysis, and expert agency comment” (40 CFR 1500.1(b)). Local agencies shall document all sources of information and methodologies used in the researching and surveying of environmental resources. Current information sources are cited in Exhibit 6-B (Instructions for Completing the Preliminary Environmental Study Form).

## 6.2 AN OVERVIEW OF THE ENVIRONMENTAL PROCESS

This section discusses NEPA and the three levels of documentation possible to achieve compliance with the requirements of NEPA. An overview of other applicable Federal environmental requirements, interagency agreements and Memorandums of Understanding (intended to expedite compliance with NEPA and the other Federal environmental requirements), and general guidance on integrating NEPA and CEQA, is also provided.

### NEPA

The NEPA process is guided by the National Environmental Policy Act and its implementing regulations (see Section 6-1, “Authority”). The process controls the main environmental document that may be an Environmental Impact Statement (EIS), an Environmental Assessment (EA) or a Categorical Exclusion (CE).

Other Federal environmentally related processes are intended to protect a specific element of the environment. These include, but are not limited to, Section 4(f) (Protection of Publicly Owned Park, Recreation Area, Wildlife or Waterfowl Refuge or Land from Historic Sites), Section 106 (Protection of Cultural Resources & Historic Properties), Section 7 (Protection of Endangered Species), Presidential E.O. 11990 (Protection of Wetlands), and Presidential E.O. 11998 (Protection of Floodplains).

Certain Federal actions must comply with the requirements of the above processes. The NEPA document is a summary of the findings made and conclusions reached during the environmental analysis of a proposal. Therefore, when the elements of other Federal environmentally related processes are involved, it is expected that these processes are completed prior to completion of the NEPA process.

- **Categorical Exclusion** is NEPA’s equivalent to a categorical exemption under CEQA. Categorical exclusions are certain types of actions, which the FHWA has identified in its NEPA procedures (23 CFR 771.117(a)), that do not individually or cumulatively have a significant effect on the human environment. These actions are categorically excluded from the requirement to prepare an EIS. Typical categorical exclusion actions are listed in 23 CFR 771.115(b).

This classification is only appropriate for projects that will not induce significant, foreseeable alternations in land use, planned growth, development patterns, traffic volumes, travel patterns, and natural or cultural resources.

If further studies conclude that no environmental impacts will occur as a result of the project, a Categorical Exclusion is prepared and processed. Any recommendation by a local agency that a project is a Categorical Exclusion must be approved by the FHWA. The FHWA may determine that any action proposed as a Categorical Exclusion may, because of extraordinary circumstances, require appropriate environmental studies to establish the need for an EIS (23 CFR 771.117(c)).

Extraordinary circumstances include situations that are likely to involve:

- Significant impacts on the environment;
- Substantial controversy on environmental grounds;
- Significant impacts on properties protected by Section 4(f) of the U.S. Department of Transportation Act and Section 106 of the National Historic Preservation Act, or
- Inconsistencies with any Federal, State, or local law or administrative determination relating to the environment.

Refer to Exhibit 6-L for a list of the types of actions that, when extraordinary circumstances do not exist, qualify for a Categorical Exclusion (CE).

Local agencies should refer to the *Local Programs Manual, Volume III, Chapter 2* for details on preparing and processing Categorical Exclusions.

On September 7, 1990, FHWA approved a **Programmatic Categorical Exclusion** for all actions qualifying for Categorical Exclusion under 23 CFR 771.117(d). The projects must meet the specific conditions of the Agreement provided as Exhibit 6-I, Impact Based Programmatic Categorical Exclusion. The Programmatic CE provides for Caltrans DLAE approval of a Categorical Exclusion and may reduce the amount of time required for NEPA compliance. (See Section 6.4 Programmatic Categorical Exclusion (etc.) for more information.)

- **Environmental Assessment** is equivalent to the CEQA Initial Study. An Environmental Assessment is an analysis of the impacts of a project and is used to determine if the project will have significant impacts on the human environment. When a project cannot be designated a Categorical Exclusion by the FHWA and yet it does not clearly require preparation of an EIS, preparation of an EA will assist in determining the need for an EIS.

The requirement to prepare an Environmental Assessment may come about through one or more of the following situations:

- Following preliminary environmental studies, when all answers under Sections A and B (except for #13) of the Preliminary Environmental Study (PES) form (Exhibit 6-A) cannot be answered “no”, the FHWA may determine, during the early coordination meeting, that an Environmental Assessment is the appropriate level of environmental analysis required. This decision would be based on information gathered during preliminary environmental studies, where it is clear that the proposed project would not qualify for a Categorical Exclusion or where extraordinary circumstances are likely.

- During, or upon completion of further study, when it becomes apparent that the proposed project would not qualify for a Categorical Exclusion or that extraordinary circumstances exist, the decision to proceed with additional studies on the assumption that the project will be processed with a Categorical Exclusion is made by the DLAE and the FHWA during the early coordination meeting.

The Environmental Assessment is basically a summary of the findings and conclusions of technical reports and the results of regulatory and resource agency coordination, and should accurately reflect the outcome of both. The information provided in the Environmental Assessment is the basis for determining whether the proposed project will have a significant impact on the environment.

If the proposal will not have a significant environmental effect, the local agency signs the document and submits the draft EA to the DLAE for concurrence and transmittal to the FHWA for approval for public availability.

The DLAE reviews the document for completeness and decides whether to concur with the assessment based on the following criteria:

- The types and location of project and its potential effects
- “Complete” and sufficient submittals (complete Technical Reports, containing letters from resource and regulatory agencies and results agency coordination and/or the results of FHWA review and consultation)
- Process reviews of local agency’s prior performance
- Experience of local agency staff/consultants

Incomplete documentation will be returned to the project sponsor.

When complete and sufficient, the DLAE signs the draft EA cover sheet and forwards the completed draft EA and supporting studies to the FHWA for review and approval for public availability.

Approval may be subject to revisions being made by the local agency prior to circulation. If the FHWA determines that deficiencies exist, the DLAE notifies the local agency. If in agreement with the scope and content, the FHWA Division Administrator signs the title page to the draft EA. The FHWA returns the signed title page and draft EA to the DLAE for transmittal to the local agency.

Environmental Assessments must be made available to the public by the local agency. The local agency initiates public circulation of the draft EA and, following public involvement, responds to comments, as necessary, and prepares the Final EA. When the Environmental Assessment does not identify any significant impacts, and no significant impacts are identified during the public availability phase, the local agency submits the record of public comments and responses and a request for a Finding of No Significant Impact (FONSI) to the DLAE for concurrence and transmittal to FHWA.

The FHWA is responsible for making the official “finding” that a proposed project will not significantly impact the environment. The FHWA-signed FONSI makes this “finding”.

The DLAE notifies the local agency upon FHWA approval of the FONSI.

When the Environmental Assessment indicates that the project has the potential to result in a significant effect, an EIS must be prepared. The EA may be attached to the EIS to document impacts that are clearly insignificant so that no further discussion need to included in the EIS. An EA is not required when a decision has already been made to prepare an EIS.

Local agencies should refer to the *Local Programs Manual, Volume III*, Chapter 3 for details on preparing and processing Environmental Assessments.

Prior to submitting a "Request for Authorization" for new phases of work, the local agency will enter the appropriate coding and the date the FHWA signed the FONSI, under "Environmental Data." Refer to the *Local Assistance Procedures Manual*, Chapter 3, Project Authorization/Federal Fund Obligation.

- An **Environmental Impact Statement** (EIS) is a full disclosure document and is the highest level of analysis required by NEPA. An EIS is analogous to the Environmental Impact Report (EIR) under the CEQA.

The determination to prepare an EIS may result from one or more of the following situations:

- Based on information gathered during preliminary environmental studies, where it is clear that the proposed project will have significant impacts. The local agency indicates the potential for significance under Sections A and B of the Preliminary Environmental Study (PES) form (Exhibit 6-A) and during the early coordination meeting, the FHWA makes the determination that an Environmental Impact Statement is the appropriate level of environmental analysis required.
- Based on the outcome of additional studies, where it becomes apparent that the proposed project will have a significant adverse effect on a particular element of the environment.
- Based on the conclusions of the draft Environmental Assessment, where the potential for "cumulative" significant adverse effects are shown. The EA may be attached to the EIS to document impacts that are clearly insignificant so that no further discussion is needed in the EIS.

When it is determined that a proposal may have a significant environmental effect the local agency arranges for a preliminary meeting with the DLAE and the FHWA and following the meeting prepares and submits a draft Notice of Intent (NOI) to the DLAE for transmittal to the FHWA for publication in the *Federal Register*.

Following publication in the Federal Register, the local agency arranges for a scoping meeting and following the meeting, prepares the Draft EIS (DEIS).

The EIS identifies the project purpose, need, and summarizes the outcome of studies on each alternative, discusses the adverse impacts of the project and the mitigation of adverse impacts, and summarizes the results of consultations with resource and regulatory agencies. A DEIS is used to solicit comments on project alternatives and their effects. The local agency submits the completed DEIS and supporting studies to the DLAE for concurrence and transmittal to the FHWA.

The DLAE reviews the DEIS and, when complete and sufficient, signs the original title page and transmits the DEIS and two (2) copies of each related technical study (noise, hydraulics, geotechnical, biological, socio-economic, cultural, etc.) to the FHWA Division Administrator for review and approval for public availability. When in agreement with the scope and content of the DEIS, the FHWA Division Administrator signs the title page to the DEIS. Approval may be subject to revisions being made by the local agency prior to circulation. The FHWA returns the signed title page to the DLAE for transmittal to the local agency.

The local agency initiates public circulation of the DEIS, and holds a public hearing on the DEIS.

Following public involvement, the local agency responds to all comments and prepares the Final EIS (FEIS). The FEIS identifies the preferred alternative and documents compliance with all applicable environmental laws. The local agency signs the title page of the FEIS and forwards the completed FEIS and record of public involvement to the DLAE for concurrence and transmittal to the FHWA.

When it is determined that the FEIS is complete and sufficient, the DLAE signs the FEIS title page and forwards the FEIS and the record of public involvement to the FHWA for approval.

FHWA indicates approval by signing the FEIS title page. The signed title page is returned to the DLAE for transmittal to the local agency.

The local agency distributes the FEIS. The FHWA notifies the United States Environmental Protection Agency (EPA) to place a notice in the *Federal Register*, and prepares, signs and transmits the Record of Decision (ROD) to the DLAE for forwarding to the local agency. The ROD is analogous to the findings and statement of overriding considerations under CEQA, and explains why the Federal agency has taken a particular course of action. Refer to the *Local Programs Manual*, Volume III, Appendix G, Guidance Material for the Preparation of Environmental Documents (T6640.8).

Local agencies should refer to the *Local Programs Manual*, Volume III, Chapter 4 for details on preparing and processing Environmental Impact Statements.

Prior to submitting a "Request for Authorization" for new phases of work, the local agency enters, under "Environmental Data," the appropriate coding and date of the FHWA's signature on the ROD. Refer to the *Local Assistance Procedures Manual*, Chapter 3, "Project Authorization/Federal" Fund Obligation for specific instructions.

## OTHER FEDERAL ENVIRONMENTALLY-RELATED PROCESSES

Every action that has Federal involvement must comply with laws that protect particular elements of the environment. Although NEPA requirements have remained relatively unchanged over the years, environmentally related processes have increased in number and importance.

Following is a summation of those processes that usually involve the FHWA. Refer to the U.S. Department of Transportation Federal Highway Administration "Summary of Environmental Legislation Affecting Transportation," February 1996, for a complete listing of **all** Federal environmentally-related laws and regulations.

Local agencies may be required to satisfy the requirements of one or more of the following Acts for any one of the three levels of environmental documentation (EIS, EA and CE, including Programmatic CE's). Compliance with the provisions of each Act must be fulfilled prior to finalizing the NEPA document.

- **Section 4(f) -- (Protection of Publicly Owned Park, Recreation Area, Wildlife or Waterfowl Refuge, or Land from Historic Sites).** The 4(f) process was established in the U.S. Department of Transportation Act of 1966 to give certain protections to publicly owned parks, recreational areas, wildlife and waterfowl refuges, and land from historic sites of national, state or local significance. Section 4(f) requires that the agency must show that there are no feasible or prudent alternatives to the use of these areas. If 4(f) land is required, all possible planning must be taken to minimize the impact (Refer to *Local Programs Manual, Volume III, Appendix D* for details)
- **Section 106 -- (Protection of Cultural Resources & Historic Properties).** The National Historic Preservation Act of 1966 declares a National policy of historic preservation, encourages preservation. It established an Advisory Council on Historic Preservation (ACHP) and provides procedures (Section 106) for Federal agencies to follow if a proposal could affect a property that is included or eligible for inclusion in the National Register. The Advisory Council has developed procedures (36 CFR Part 800) that must be followed on any Federal project or action (Refer to *Local Programs Manual, Volume III, Appendix F* for details.)
- **Section 7 of the Endangered Species Act -- (Protection of Endangered Species.)** The purposes of this act are to provide a means to conserve the ecosystems, which the endangered species and the threatened species depend upon, and to provide a program for conservation of these species. The FHWA is required to seek to conserve endangered species and threatened species by utilizing its authority to further the purposes of this Act. The FHWA procedures require that an investigation be made of each proposed action to determine if species are impacted (Refer to *Local Programs Manual, Volume III, Appendix I* for details.)
- **Presidential Executive Order 11990 -- Protection of Wetlands --** Executive Order 11990 requires that when a construction project involves wetlands, a finding must be made that (1) there is no practicable alternative to such construction and (2) that the proposed action includes all practicable measures to minimize impacts to wetlands resulting from such use. The FHWA Division Administrator makes the finding required by Executive Order 11990 (Refer to *Local Programs Manual, Volume III, Appendix H* for details).
- **Presidential Executive Order 11988 -- Floodplain Management -** FHWA procedures require that a formal Floodplain Finding be prepared for Federal actions that involve significant encroachments in a floodplain to comply with Executive Order 11988, "Floodplain Management." The finding is added to the FONSI or FEIS as an exhibit titled "Floodplain Finding." The finding should be a summary of detailed discussions contained elsewhere in the environmental document (Refer to *Local Programs Manual, Volume III, Appendix J* for details.)

- **Presidential Executive Order 12898 -- “Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations”**, issued on February 11, 1994, emphasizes the intent of Title VI of the Civil Rights Act of 1964. The Order requires Federal agencies to ensure that their programs, policies and activities do not have the effect of 1) excluding persons and populations from participation in, (2) denying persons and populations the benefits of Federal programs, or (3) subjecting persons and populations to discrimination because of race, color or national origin.

Identification of Environmental Justice impacts must be addressed in Environmental Impact Statements but may not be applicable for Categorical Exclusions or Environmental Assessments. When preparing an EIS, local agencies must consider the following: 1) Are there adverse effects? If no, not applicable; (2) Are minority or low-income communities adversely effected? If no, not applicable; (3) If yes, after mitigation and betterment’s taken into account, is a minority or low-income community disproportionately high and adversely impacted?

- **Clean Air Act, as amended, 1990 (23 CFR 771 and 40 CFR 51 and 93) --** requires transportation plans, programs and projects conform to the State Implementation Plan (SIP) for air quality. This Act applies to all projects proposed in nonattainment and maintenance areas for air quality.

The general procedures for demonstrating compliance with these Acts are provided below:

The local agency consults current databases, reviews relevant literature and maps, coordinates with appropriate resource and regulatory agencies for information gathering purposes only, and determines whether compliance with any of the above Federal requirements is required. Local agencies should not engage in consultation for which the FHWA is responsible (i.e.; Determinations of Eligibility, Effect, and Adverse Effect by the State Historic Preservation Office (SHPO) and/or the Advisory Council on Historic Preservation (ACHP), requests for a biological opinion or conference opinion (both informal and/or formal) by the United States Fish and Wildlife Service (USFWS), etc.).

The local agency develops an Area of Potential Effect (APE) map for Section 106 purposes and other survey area maps as necessary to complete the studies, and requests an early coordination meeting with the DLAE prior to commencing with any required study. The early coordination meeting provides an opportunity to discuss the appropriate scope of the study, to obtain FHWA approval on an APE map for Section 106 studies, and/or to review report preparation and processing requirements. The DLAE, in consultation with the FHWA, determines the necessity for FHWA’s attendance at early coordination meetings.

The local agency completes the required studies, prepares the necessary reports, and submits the appropriate number of copies of each report to the DLAE for review, concurrence, and transmittal to the FHWA.

The DLAE reviews the technical report(s) and determines “completeness and sufficiency” based on consideration of the following criteria:

- The type and location of project.

- "Complete" and sufficient submittals (Historic Property Survey Report, Biological Report, Wetland Report, Section 4(f), Noise, etc., containing letters from resource and regulatory agencies) to support the determination.
- Consultation with the FHWA Transportation Engineer or the District environmental staff.
- Process reviews of the local agency's prior performance.
- Experience of the local agency staff/consultants.

When complete and sufficient the DLAE indicates concurrence (with the report findings) in the transmittal letter and forwards the documents to the FHWA for review and approval.

The FHWA reviews the reports, consults with responsible and regulatory agencies as required, and submits a letter to the DLAE, indicating concurrence with the local agency's findings, or identifying deficiencies

The DLAE forwards the FHWA response, and copies of any resource and regulatory agency responses (to the FHWA) to the local agency.

The local agency summarizes the results of the required technical studies in the environmental document, attaches copies of relevant correspondence from resource and regulatory agencies and processes the NEPA document.

## INTERAGENCY AGREEMENTS AND MEMORANDUMS OF UNDERSTANDING

Several interagency agreements and memorandums of understanding have been developed in an effort to expedite the environmental process. These agreements require full documentation demonstrating that the conditions of the agreement or MOU have been met.

Agreements aimed at streamlining the NEPA process include:

- **Programmatic Categorical Exclusion Agreement** (September 7, 1990).

A "Programmatic" Categorical Exclusion is an agreement, between the FHWA and Caltrans, authorizing Caltrans to approve a Categorical Exclusion determination for projects that:

- (1) meet the criteria for a CE, Class II action as described in *23 CFR 771.117*,
- (2) will not result in unusual circumstances, and
- (3) clearly meet the conditions of the Programmatic Agreement.

Refer to Exhibit 6-I "Impact Based Programmatic Categorical Exclusion" for a copy of the agreement with conditions.

- **Programmatic Categorical Exclusion Agreement for Seismic Safety Projects** (February 5, 1990). This agreement covers the majority of retrofit work but is applicable only to installations meeting the conditions on the agreement. Because the conditions of this agreement are relatively consistent with those of the Programmatic Agreement discussed above, local agencies should be aware that this agreement is valid but is not used for local agency Federal-aid projects, primarily because Impact-related Programmatic CEs can adequately achieve the same end.



For informational purposes, a copy of the agreement with conditions is provided as Exhibit 6-J “Programmatic Categorical Exclusion for Seismic Safety Projects”.

For other Federal environmental requirements, these include:

- **Programmatic Agreement Regarding the Seismic Retrofit of Bridge Structures in California** (March 21, 1995). This agreement is for the Section 106 process only and provides for the expeditious fulfillment of the requirements under Section 106. Additional assistance from the Caltrans Environmental, Cultural Resources Specialist is required when utilizing this agreement (A copy of the Agreement is available from the District Local Assistance office).

Four “Nationwide” or “Programmatic” Section 4(f) Agreements are also available for the following types of federally-aided highway projects:

- **Bikeways and Walkways Programmatic 4(f) Evaluation** (May 1977) for independent bikeway and pedestrian walkway projects which require the use of recreation and park areas.
- **Historic Bridge Programmatic 4(f) Evaluation** (July 1983) for historic bridge replacement projects. Extensive historic evaluation and coordination to meet Section 106 requirements is still required.
- **Minor Use of Parklands Nationwide Section 4(f) Evaluation** for federally assisted highway projects which use minor amounts of land from publicly owned public parks, recreation areas, and wildlife and waterfowl refuges.
- **Minor Involvement with Historic Sites Nationwide Section 4(f) Evaluation** for federally assisted highway projects which use minor amounts of land from historic sites which are eligible for inclusion on the *National Register of Historic Places*.
- **Memorandum of Understanding (MOU) National Environmental Policy Act and Clean Water Act, Section 404 Integration Process for Surface Transportation Projects in Arizona, California, and Nevada** (Spring 1994). The U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, National Marine Fisheries Service, Federal Highway Administration, Federal Transit Administration, California DOT, Arizona DOT, and Nevada DOT agree on early and on-going coordination for projects impacting special aquatic sites or greater than five (5) acres of other waters of the United States, and thereby, requiring an individual Section 404 Permit. The MOU specifies written concurrences that must be obtained from the resource agencies.

If it is anticipated that the project may need an “Individual Section 404 Permit”, the local agency should notify the DLAE and consult the NEPA/404 MOU as early as possible to ensure conformity. (Copies of the NEPA/404 MOU may be obtained from your District Local Assistance office).

## INTEGRATING CEQA AND NEPA

The process used for evaluating environmental impacts of local assistance projects is a blend of State and Federal requirements. The State and Federal requirements are similar, and the supporting documentation is compatible. Many of the CEQA and NEPA documents are essentially identical. As a result, it is possible to perform only one environmental process that satisfies both State and Federal requirements simultaneously when Federal approval is required.

Where the requirements of the two laws are similar, the steps are combined and the stricter of the two takes precedence.

Following are some of the basic differences between the NEPA and CEQA.

- **Categorical Exclusion (NEPA)/Categorical Exemption (CEQA) Determination** -- The list of projects exempt from the Federal legislation is quite different from that for the State. Because the NEPA requires that each Federal agency identify its own list of Categorical Exclusion(s), the list of projects exempt from NEPA is very specific to FHWA, unlike CEQA guidelines which list 29 standard categories. Thus, a careful reading of 23 CFR 771.117 is necessary to determine which actions are Categorically Excluded (A list of actions which may be Categorically Excluded from NEPA is provided at Exhibit 6-L). A separate determination must be made for the NEPA and CEQA. Section 6.5 of this Chapter describes this phase of the process. Refer to *Local Programs Manual, Volume III, Chapter 2*, for additional information.
- **Environmental Assessment (EA)/Initial Study (IS)** -- The required contents of an EA are similar to those of an IS. However, the NEPA requires that an EA discuss alternatives whereas CEQA does not require a discussion of alternatives in an Initial Study.
- **Findings of No Significant Impact (NEPA)/Negative Declaration (CEQA)** -- There are different circulation requirements in the two laws. Refer to *Local Programs Manual, Volume III, Chapter 3*, for public circulation requirements for Environmental Assessments.
- **Environmental Impact Statements (EIS)/Environmental Impact Reports (EIR)** -- are essentially the same except for that NEPA requires a much more rigorous evaluation and comparison of all reasonable alternatives and the degree of analysis devoted to each alternative must be substantially similar to that devoted to the proposed action. The CEQA merely requires an evaluation of the comparative merits of each alternative.
- One of the most complex aspects of EIS preparation is the requirement for integrating the NEPA with other Federal environmental requirements. Local agencies must identify and list in the EIS all other Federal environmental requirements that may be applicable to the proposed action, and at the fullest extent possible, integrate the NEPA process with the review processes established by these laws. See Section 6.2 for a brief overview of the other Federal environmental requirements. This degree of integration of State and local environmental review is not required under CEQA.

- NEPA requires identification of adverse impacts and mitigation of adverse impacts. NEPA does not focus on assessment of whether each and every adverse impact is significant or not. Presence or absence of “significant impacts” as defined by NEPA is the determining factor of what type of environmental document is appropriate. The NEPA definition of a significant impact does not necessarily correlate with CEQA identified “significant effects”. Further, CEQA requires mitigation only when an impact is designated as “significant” under CEQA. This can result in mitigation being identified under NEPA that would not be identified under CEQA.

In cases where the local agency project is processed, with no Federal involvement, the project will only require compliance with the CEQA. A copy of the CEQA and the *State EIR Guidelines for Implementation of the California Environmental Quality Act* of 1970 are provided in the *Local Programs Manual*, Volume III, Appendix B. The latest edition of the CEQA may be obtained from the California Department of General Services, Publications Section, P.O. Box 1015, North Highlands, California, 95660. Ordering information may be obtained by calling (916) 574-2200. Orders may not be placed by phone. A written request, containing a street address and name of person to receive the publication, should be accompanied by a check for \$18.00. Price quoted in 1996 and subject to change.

## TIMING FOR ENVIRONMENTAL PROCESSES

The amount of time needed to demonstrate full compliance with the provisions of the NEPA and the other Federal environmental requirements vary depending upon project scope and the presence of federally-protected environmental attributes within, and immediately adjacent to, the project area.

Compliance with the environmental requirements may occur simultaneously with preliminary engineering work, however, detailed final design work may not commence prior to environmental document approval by the FHWA (or by the DLAE, for Programmatic CE's), and costs for work performed prior to authorization are not reimbursable.

Note: The following time frames reflect best case scenarios and do not take into account the time involved in consultant selection, correction of inadequate studies, regulatory or advisory agency review and comment, or in dealing with projects involving large numbers of or very complex or unusual environmental issues, etc.

The various environmental studies and documents are performed and written simultaneously. Estimating the time required for writing and processing the studies is very important when determining a project development schedule. Below are some examples for estimating this time.

- A project eligible for a Programmatic Categorical Exclusion with no “required studies” can be processed in one week, assuming the Preliminary Environmental Form (PES) form and supporting information are complete and sufficient.
- A Programmatic Categorical Exclusion with “required studies” may take from one to six months, depending upon the required studies that must be completed, and the time of year the studies are initiated.

It is important to plan for critical survey periods when determining a project schedule. Plant surveys, for example, must be performed during the Spring (March-May), and wetland boundaries must be determined during the growing season (January - March).

It is also important to factor in sufficient time for potentially lengthy processes such as Section 106. Historical Property Survey Reports, which should be initiated at the time of the field review, can be completed in:

- three months if there are no eligible or listed properties within the Area of Potential Effect (APE).
  - six months if there are eligible properties within the APE (Determination of Eligibility).
  - eighteen months to three years, if there are effects on a listed or eligible property (Determination of Effect), and mitigation measures are required. (Memorandum of Agreement).
- An Environmental Assessment that becomes a Finding of No Significant Impact, may take between six months to a year for a situation where everything falls into place. The Draft EA must undergo a 45-day public circulation period. Environmentally complicated or controversial projects may take more than one year for the document to be completed and approved.
  - Processing the Environmental Assessment (which becomes a FONSI) with a HPSR (or any other environmentally related processes) may require additional time because these environmentally related processes require more work and more reviews. A Determination of Effect for example, must be complete before an Environmental Assessment can be approved.

The local agency should start working on “required studies” as early as possible in order to avoid delays. (Warning: The local agency should not begin “required studies” beyond the preliminary investigation, prior to obtaining DLAE and FHWA concurrence on the Preliminary Environmental Study (PES) form). The NEPA document is a summary of the impacts of the project. Approval of the NEPA document cannot be given until all “required studies” are complete and processed, and the conclusions of those studies are summarized in the NEPA document.

## **OTHER CONSIDERATIONS**

### **PERMITS**

The local agency will obtain all necessary permits (404 Permit, Coast Guard Bridge Permit, 1601/03) prior to advertisement for construction.

### **MITIGATION AND PS&E**

The local agency will certify that all required mitigation has been completed and/or is included in the final PS&E and that any required ongoing maintenance of mitigation is implemented.

The DLAE assures that mitigation measures and any required ongoing maintenance of mitigation are implemented by conducting periodic process reviews.

## **MITIGATION AND CONSTRUCTION**

The local agency checks plans in the field and certifies that all environmental commitments have been incorporated.

In advance of any commitment, the local agency notifies the DLAE of any significant change in project scope, impacts or mitigation which may compel environmental re-evaluation.

The DLAE notifies the FHWA of any significant change in project scope, impacts or mitigation and the FHWA will determine if additional environmental studies will be required or if any mitigation agreements will require modification. If so, the local agency requests reconsultation/reevaluation immediately.

## **PROCESS REVIEW**

Caltrans conducts process reviews of local agency procedures for preparing environmental documents and backup reports and for ensuring that all environmental commitments have been incorporated in construction.

## **TRAINING**

Caltrans will notify DLAE and local agencies and their consultants regarding training opportunities available through FHWA, ACOE, USFWS, NHI, USEPA, universities and colleges, professional societies and private interest groups.

# **6.3 PRELIMINARY ENVIRONMENTAL STUDIES**

## **PURPOSE**

The purpose of preliminary environmental studies is to determine whether a project may have a significant environmental impact on the human environment. The preliminary environmental study process was developed exclusively for Federal-aid local assistance projects, and consists of two parts: 1) a review of available information and 2) completion of the Preliminary Environmental Study (PES) form.

## **PRELIMINARY ENVIRONMENTAL INVESTIGATION**

Preliminary environmental investigation consists of a review of relevant literature, maps, and resource agency databases, field surveys and the development of field survey reports, as appropriate, and completion of the Preliminary Environmental Study (PES) form. A listing of relevant literature, maps and agencies maintaining databases and specific instructions for undertaking the preliminary environmental investigation are contained in Exhibit 6-B, Instructions for Completing the Preliminary Environmental Study (PES) Form.

Preliminary research should be sufficient to confirm whether or not the resources in question are present within the project area.

Extensive literature reviews, map reviews, and agency coordination may not be required in all cases. For example, when action is proposed within existing right of way and the project area is covered with a hard surface, and no water, natural vegetation, or historic resources exist within, or directly adjacent to, the project area, extensive preliminary investigation may not be necessary.

## ADDITIONAL ENVIRONMENTAL ANALYSIS “REQUIRED STUDIES”

When preliminary environmental investigations reveal the presence of a resource within, or immediately adjacent to, the project area, the local agency must proceed one step further, and complete the required study, prior to determining whether the project will affect the resource in question and whether the affect will be significant. Detailed instructions for completing the “required studies” are contained in the *Local Programs Manual, Volume III*. A list of “required studies” is provided under Section C of the Preliminary Environmental Study (PES) form.

## PRELIMINARY ENVIRONMENTAL STUDIES (PES) FORM

A complete and signed PES form is required for all projects. A PES form is provided as Exhibit 6-A, Preliminary Environmental Study (PES) Form.

The questions under Sections A and B of the PES form are consistent with the context and intensity considerations of significance as defined in 40 CFR 1508.27(a) and (b) respectively, as discussed below:

- “*Significantly*”, as used in the NEPA, requires consideration of both “context” and “intensity” (40 CFR 1508.27).
- When considering “*context*”, the significance of the action must be analyzed based on society as a whole, affected interests, the affected region, and the locality in which it would occur. Significance, therefore, will vary depending on the setting of the proposed action (40 CFR 1508.27(a)).
- When considering “*intensity*”, the severity of the impact must be analyzed. In determining the intensity of an impact, the Federal agency should consider beneficial effects, public health, unique characteristics, degree of controversy, degree of unique or unknown risk, precedent-setting effect, cumulative effect, cultural or historical resources, special status species and violations of Federal, State or local environmental law (40 CFR 1508.27(b)).

The test of significance is difficult and subjective. However, until the test of context and intensity is applied, the potential for significance cannot be fully known. At a minimum, Federal-aid local agency projects then must complete a preliminary environmental study as a first-step in determining a project’s potential “to significantly effect the human environment” and prior to determining the appropriate environmental documentation for their project.

## 6.4 PROGRAMMATIC CATEGORICAL EXCLUSION ( PROGRAMMATIC CE)

### CRITERIA

A Programmatic Categorical Exclusion may be found to be applicable to a local agency project through one of the following two ways:

- Based on initial research, without additional “required studies”
- Based on additional “required studies”

### PROGRAMMATIC CE, WITHOUT “REQUIRED STUDIES”

This first method requires the least amount of time to process. The local agency completes the preliminary environmental investigation and the PES form.

When all answers to Sections A and B of the Preliminary Environmental Study (PES) form are “no”, (except for # 13) the project meets the conditions of, and is eligible for, a Programmatic Categorical Exclusion (See *Exhibit 6-I, Impact-Based Programmatic Categorical Exclusion*).

The local agency attaches the completed PES form, and all supporting information, to the completed Programmatic Categorical Exclusion form, and submits the packet to the DLAE for approval. The DLAE reviews the information provided by the local agency, and certifies that the conditions of the Programmatic Categorical Exclusion are satisfied.

### PROGRAMMATIC CE WITH “REQUIRED STUDIES”

The second method requires the completion of additional required studies prior to determining a project’s eligibility for a Programmatic CE. This method may take several months to a year to complete depending upon the resource in question (see prior section entitled “Timing for Environmental Processes”).

Detailed instructions for preparing and processing required studies are provided in the *Local Programs Manual, Volume III*. Procedures for processing a Programmatic CE with “required studies” are provided in Section 6.5 of this Chapter.

### ANNUAL REPORTING REQUIREMENT

The DLAE is responsible for maintaining a log of the projects on which the Programmatic Categorical Exclusion is used, to facilitate process reviews and to compile an annual list.

At the close of each Federal fiscal year, the DLAE shall furnish their respective FHWA Transportation Engineer with a complete list of projects for which the Programmatic Categorical Exclusion has been used.

## 6.5 STEP-BY-STEP PROCEDURES

Following are step-by-step procedures for completing the preliminary environmental investigation and the Preliminary Environmental Study (PES) form. It is important that local agencies and their consultants carefully follow and complete each step to avoid unexpected project costs or delays in project development and to ensure a “complete and sufficient” submittal.

The preliminary environmental study process is shown in Flowchart 6-I. The numbers on the flowchart correlate with the step-by-step procedures on page 6-19 through 6-19.

### PRELIMINARY ENVIRONMENTAL INVESTIGATION (SECTION A & B OF THE PES FORM)

#### 1. Develop Complete Project Description and Detailed Map

The local agency develops a written description of the proposed project (addressing construction staging areas and fill and borrow sites, if appropriate) and prepares a detailed map of the project area showing project boundaries and right-of-way ownership.

#### 2. Review Relevant Literature, Maps and Inventories

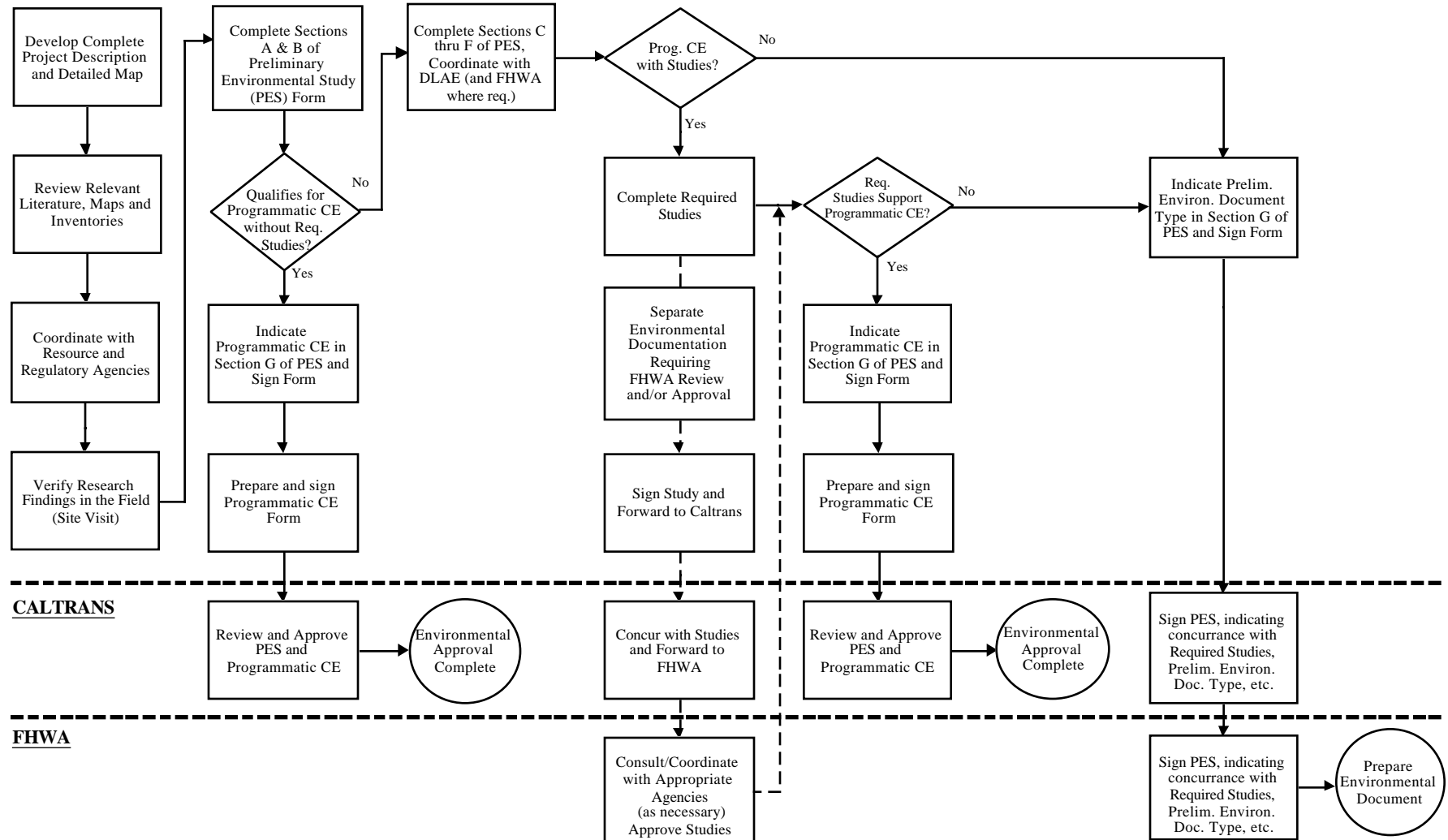
Local agency reviews relevant literature, maps and databases to determine the potential for sensitive resources within the project area. Detailed instructions for completing the PES form are provided as Exhibit 6-B, Instructions for Completing the Preliminary Environmental Study (PES) form. It is important that local agencies carefully follow these instructions to insure a “complete and sufficient” submittal.

It is important to note that many of the questions on the PES form can be answered with the assistance of one agency--the Natural Resources Conservation Service (NRCS), formerly the Soil Conservation Service. NRCS field offices maintain a wide variety of maps including, but not limited to, the National Wetland Inventory (NWI) maps, Federal Emergency Management Agency (FEMA) maps, National Flood Insurance Program (NFIP) maps, Agricultural Wetland maps, prime and unique farmland maps, as well as California Natural Diversity Database (CNDDDB) maps. These maps provide the local agency with the information to accurately respond to questions pertaining to water quality, sole source aquifers, wetlands, floodplains, coastal zone areas, wild and scenic rivers, agricultural wetlands, and farmlands.

NRCS field offices can also delineate and verify prime and unique farmlands (conversions to non-agricultural use require coordination with the U.S. Army Corps of Engineers) and agricultural wetlands (the U.S. Army Corps of Engineers remains the agricultural wetlands point of contact for Section 404 Permits). Refer to Exhibit 6-G, Natural Resource Conservation Service Field Offices, for the NRCS field office in your area.



**LOCAL AGENCY**



### 3. Request Information from Resource and Regulatory Agencies

Local agency requests information from those agencies having expertise in the affected environmental elements (water, air, etc.) and/or permit or license authority over the proposed project regarding the presence or absence of a sensitive resource (biological and cultural). Sample letters for requesting biological and cultural resource information are provided at Exhibits 6-C through 6-F, Sample Letters.

### 4. Verify Research Findings in the Field (Site Visit)

Following a map and literature review, the local agency conducts a site visit to verify research findings in the field. Field notes should be taken to confirm the general presence or absence of resources, as necessary.

### 5. Complete Sections A and B of the Preliminary Environmental Study (PES) Form

Using information gathered in the above process, the local agency completes Sections A and B of the PES form (Exhibit 6-A) to determine whether the project qualifies for a Programmatic CE without Required Studies. Refer to Exhibit 6-B for instructions for completing the PES form.

When all questions in Sections A and B of the Preliminary Environmental Study (PES) form are answered “no” (except for #13), **GO TO 6**. When all questions in Sections A and B of the PES form cannot be answered “no” (except for #13), **GO TO 10**.

## PROGRAMMATIC CE APPROVAL, WITHOUT REQUIRED STUDIES

### 6. Indicate Programmatic CE in Section G of PES form and Sign Form

When all answers to Sections A and B of the Preliminary Environmental Study (PES) form are “no” (except for #13), the project qualifies for a Programmatic CE without required studies. The local agency indicates the appropriate document type under Section G and signs the Preliminary Environmental Study (PES) form (Exhibit 6-B), affirming preparation of the PES in accordance with the Local Assistance Programs Manual. It is not necessary to complete Section C through F.

### 7. Prepare and Sign the Programmatic Categorical Exclusion (CE) Form

The local agency prepares and signs the Programmatic CE form (Exhibit 6-K), declaring that the conditions of the Programmatic CE are met, and submits the following information to the DLAE for review and approval.

- Fully completed and signed PES form.
- Fully completed and signed CE/Programmatic CE form.
- Project Map.
- Any field notes and correspondence from resource agencies.
- Results from literature, maps, and records searches.
- Completed Field Review Form (first two pages minimum, see Chapter 7).

A sample transmittal letter is provided at Exhibit 6-M.

## 8. Review and Approve the PES form and the Programmatic CE

The DLAE decides whether or not to approve the documents based on consideration of the following criteria:

- Type and location of project and its potential effects.
- "Complete and sufficient" submittals (complete PES form with supporting documentation--letters from resource and regulatory agencies, results of record searches and any field notes) to support the determination.
- Process reviews of local agency's prior performance.
- Experience of local agency staff/consultants.

In some cases, an on-site environmental review and/or an office meeting may be necessary to support the conclusion.

The DLAE indicates approval by signing and dating the Programmatic CE form. Incomplete documentation is returned to the project sponsor. It is not necessary for the DLAE or the FHWA to sign the PES form.

## 9. Environmental Approval Complete

Local agency inserts September 7, 1990, date of FHWA approved Programmatic CE on Local/State Comments field when completing the Request for Authorization form for the next phase of the project (see Chapter 3 "Project Authorization").

## COMPLETE "REQUIRED STUDIES" (SECTIONS C THROUGH F OF THE "PES" FORM)

### 10. Complete Section C through F of the PES Form and Coordinate with the DLAE ( and the FHWA if necessary)

When all questions under Sections A and B (except for #13) of the PES form cannot be answered "no" but it appears that the project will be eligible for a Programmatic CE, the local agency completes Sections C through F of the Preliminary Environmental Study (PES) form and **GO TO 11**. Refer to Exhibit 6-B, Instructions for Completing the PES form for detailed instructions on completing Sections C through F.

When all questions under Sections A and B (except for #13) of the PES form cannot be answered "no" and it appears that the project will not be eligible for a Programmatic CE, the local agency must complete Sections C through F of the PES form and **GO TO 20**.

The local agency must arrange for an early coordination with the DLAE to discuss the appropriateness of further preliminary study, the scope of the additional studies, and to the available guidance regarding report format, content, and processing procedures.

The local agency brings the following items to the early coordination meeting:

- Fully completed and signed PES form.
- Project Map.
- Any field notes and correspondence from resource agencies.
- Results from literature, maps, and records searches.

- Completed Field Review Form (first two pages minimum, see Chapter 7).

The DLAE may invite the FHWA Transportation Engineer and District environmental representatives (as necessary), to discuss the PES form, required studies, and available guidance on study methodology as well as report format and content.

### **11. Complete Required Studies**

Local agency completes the required studies, prepares the necessary reports, and seeks concurrence from appropriate resource agencies. Refer to the *Local Programs Manual, Volume III* for detailed instructions.

Except where otherwise noted, local agencies are responsible for coordinating with and seeking concurrence from appropriate responsible and regulatory agencies. Coordination with the State Historic Preservation Officer and the U.S. Fish and Wildlife Service, beyond information gathering, is the responsibility of the FHWA Transportation Engineer.

Written correspondence from resource agencies, regarding agency concerns and/or concurrence with the conclusions of additional preliminary studies shall be attached to the study.

### **12. Required studies requiring FHWA review and/or approval.**

After receiving concurrence from the appropriate resource agency, regarding study findings, the local agency determines whether the reports require FHWA review and approval. Floodplain Risk Assessment forms and Protection of Wetland forms, require FHWA signature. FHWA also reviews Negative HPSRs to verify Caltrans District Environmental Branch review and approval. When additional preliminary studies require the FHWA's review or signature, **GO TO 13**. When additional preliminary studies do not require FHWA review and approval, **GO TO 16**.

## **FHWA REVIEW AND APPROVAL OF "REQUIRED STUDIES"**

### **13. Sign Study and Forward to Caltrans**

Local agency forwards completed reports, with written agency concurrence, to the DLAE for review and processing to FHWA.

### **14. DLAE Concurs with Studies and Forward to FHWA**

The DLAE reviews the study reports and when "complete and sufficient" and in concurrence with the findings, the DLAE forwards the study(s) to FHWA for review and approval. Incomplete documentation is returned to the local agency.

### **15. FHWA Approve Studies**

The FHWA reviews the studies and if complete and sufficient, and if in concurrence with the findings, indicates approval by signing the appropriate form. When incomplete, FHWA notifies the DLAE and forwards written deficiencies to the DLAE for transmittal to the local agency.

## **DETERMINING WHETHER “REQUIRED STUDIES” SUPPORT A PROGRAMMATIC CATEGORICAL EXCLUSION**

Local agency considers the conclusions of each required study and makes a preliminary determination as to whether the project qualifies for a Programmatic Categorical Exclusion (Refer to Exhibit 6-I). When the project qualifies for a Programmatic CE **GO TO 16**. When the project does not qualify for a Programmatic CE **GO TO 20**.

### **PROGRAMMATIC CE APPROVAL, WITH “REQUIRED STUDIES”**

#### **16. Indicate Programmatic CE in Section G of PES form and sign form**

The local agency modifies Sections A and B of the PES form, as necessary, completes Section G, and signs the PES form. **GO TO 17**.

#### **17. Prepare and sign Programmatic CE Form**

The local agency prepares and signs the Programmatic CE form (Exhibit 6-L) and forwards the completed Programmatic CE form (with the revised PES form and supporting studies attached) to the DLAE for review and approval.

#### **18. DLAE reviews and approves PES form and Programmatic CE**

The DLAE reviews the PES form and supporting documentation and if complete and sufficient, and in concurrence with the recommendations, signs the Programmatic CE form. It is not necessary for the DLAE or the FHWA to sign the PES form.

#### **19. Environmental Approval Complete**

### **PROJECT DOESN'T MEET CRITERIA FOR PROGRAMMATIC CE**

#### **20. Indicate Preliminary Environmental Document Type in Section G of the PES form and sign form**

In the event that a Programmatic CE is not applicable, it is advisable that FHWA be involved in the determination of the appropriate environmental document.

The local agency indicates the recommended level of environmental document to be prepared in Section G of the PES form and the DLAE and the FHWA review and indicate concurrence, by signing the PES form.

When a project is not eligible for a Programmatic CE but does not require an EIS, the local agency should consider preparing either a Categorical Exclusion (CE) or an Environmental Assessment (EA).

When preliminary environmental studies indicate that the proposed project has the potential to “significantly affect the quality of the human environment”, or when the proposed project falls within those classes of actions normally requiring an EIS under 23 CFR 771.115(a), the local agency should consider preparing an EIS. (Local agencies should refer to the *Local Programs Manual, Volume III, Chapters 2,3, or 4* when determining the appropriate environmental document.

**21. DLAE Signs the PES form, Indicating concurrence with Required Studies, Preliminary Environmental Document Type, etc.**

DLAE reviews PES and if in concurrence with the required studies and preliminary environmental document type, signs the PES form and forwards to the FHWA.

**22. FHWA Signs the PES form, Indicating concurrence with Required Studies, Preliminary Environmental Document Type, etc.**

FHWA reviews PES and if in concurrence with the required studies and preliminary environmental document type, signs the PES form and returns to the DLAE for transmittal to the local agency.

**23. Local Agency Prepares Environmental Document.** Refer to the *Local Programs Manual, Volume III*, for detailed instructions on preparing and processing Categorical Exclusions (*Chapter 2*), Environmental Assessments (*Chapter 3*), and Environmental Impact Statements (*Chapter 4*).

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## PRELIMINARY ENVIRONMENTAL STUDY (PES) FORM

Agency (Dist-Co-Rte-Agency): \_\_\_\_\_  
Project Number (Federal Prog. Prefix-Proj.No(Agrmnt No.): \_\_\_\_\_  
Project Location: \_\_\_\_\_  
Project Description: \_\_\_\_\_

EXAMINE FOR POTENTIAL EFFECTS ON THE ENVIRONMENT, DIRECT OR INDIRECT, AND  
ANSWER THE FOLLOWING QUESTIONS

A. The Physical Environment	<u>Yes</u>	<u>To Be Determined</u>	<u>No</u>
1. Is the project a Type I project as defined in 23 CFR 772.5(h); "construction on new location or the physical alteration of an existing highway which significantly changes either the horizontal or vertical alignment or increases the number of through-traffic lanes."	_____	_____	_____
2. If yes, will the project result in predicted traffic noise levels that approach (2 dBA less than Noise Abatement Criteria) or exceed the noise abatement criteria (23 CFR 772, Table 1) or will the predicted traffic noise levels substantially (12 dBA) exceed the existing noise levels?	_____	_____	_____
3. Will the project involve substantial construction noise due to pile driving, structure demolition, blasting, etc.?	_____	_____	_____
4. Will project adversely affect water quality?	_____	_____	_____
5. Is project within a designated sole-source aquifer?	_____	_____	_____
6. Is it within or does it involve a coastal zone?	_____	_____	_____
7. Will the project encroach on the base (100 year) flood plain?	_____	_____	_____
8. Will the project affect the Wild and Scenic River System?	_____	_____	_____
9. Will the project affect Federally-listed, threatened, or endangered species (including candidate species) or modify critical or sensitive habitat?	_____	_____	_____
10. Will the project involve the destruction or modification of wetlands?	_____	_____	_____
11. Will the project impact "special aquatic sites", or impact greater than five acres of other waters of the U.S. and thereby require an individual Section 404 permit and NEPA/404 Merger MOU coordination?	_____	_____	_____
12. Will the project affect any agricultural wetland?	_____	_____	_____
13. Does the Federally approved Statewide Transportation Improvement Program (FSTIP) include the project?	_____	_____	_____
14. Will the project result in localized exceedances in National Ambient Air Quality (NAAQ) standards?	_____	_____	_____



Agency: \_\_\_\_\_ Project Number \_\_\_\_\_

	<u>Yes</u>	<u>To Be Determined</u>	<u>No</u>
15. Will the project impact any prime or unique farmlands?	_____	_____	_____
16. Will the project involve hazardous waste sites including underground tanks?	_____	_____	_____
17. Will the project modify or alter the channel of a river, stream, bay, inlet or lake?	_____	_____	_____
18. Will the project use land from a public-owned park land, recreation area, wildlife or waterfowl refuge [Section 4(f)]?	_____	_____	_____
19. Were Federal Land and Water Conservation funds used in the development of the local park [Section 6(f)(3)]?	_____	_____	_____
20. Will the project involve large cuts or fill areas or large structures, resulting in visual impacts on scenic areas?	_____	_____	_____
21. Will the project produce light, glare or shadows?	_____	_____	_____
22. Will the project require any right-of-way, including partial or full takes? Consider construction easements and utility relocations. Attach description (including total acreage and ownership) for all "Yes" and "To Be Determined" answers.	_____	_____	_____
23. Will the project displace businesses and residences?	_____	_____	_____

**B. The Social and Economic Environment**

24. Will the project divide or disrupt an established community?	_____	_____	_____
25. If so, is the community a minority or low-income community?	_____	_____	_____
26. Will the project induce unplanned growth?	_____	_____	_____
27. Is the project inconsistent with plans and goals adopted by the community?	_____	_____	_____
28. Will the project result in the need for public services, including utilities other than those presently available or proposed?	_____	_____	_____
29. Will the project involve changes in access control?	_____	_____	_____
30. Will project change local traffic patterns?	_____	_____	_____
31. Will the project significantly reduce available parking?	_____	_____	_____
32. Will the project require future construction to fully utilize the design capabilities included in the proposed project?	_____	_____	_____

- |  | <u>Yes</u> | <u>To Be Determined</u> | <u>No</u> |
|--|------------|-------------------------|-----------|
| 33. Will the project generate public controversy based on environmental effects?   | _____      | _____                   | _____     |
| 34. Will project construction encroach on State or Federal Lands?  | _____      | _____                   | _____     |
| 35. Will the project involve National Register listed or potentially eligible historic properties [Section 106, Section 4(f)]? | _____      | _____                   | _____     |

DATA AS REQUIRED TO SUPPORT THE CONCLUSIONS OF THIS CHECKLIST SHOULD BE  
ATTACHED OR AVAILABLE FROM THE LOCAL AGENCY UPON REQUEST  
(Check to Indicate Required Studies, Coordination, Permits or Approvals)

C.	REQUIRED STUDIES	D.	COORDINATION	E.	PERMIT/APPROVALS
<input type="checkbox"/>	<b>NOISE STUDY</b> ___ Traffic Related ___ Construction Related	___	FHWA FHWA		
<input type="checkbox"/>	<b>WATER QUALITY STUDY *</b> ___ Discharge Dredged/Fill material (US waters) ___ Construction in Navigable Waters ___ Construction of Bridges/Causeways Across Navigable Waters ___ Construction of Bridge ___ Stream or Lake Alteration	___	FHWA/EPA U.S. Army Corps of Engineers U.S. Army Corps of Engineers U.S. Coast Guard California Regional Water Quality Control Board California Department of Fish & Game	___	Section 404 Permit Section 10 Permit Approves Plans Water Quality Certification Section 1601/03 Permit
<input type="checkbox"/>	<b>SOLE SOURCE AQUIFER</b>	___	EPA (S.F. Regional Office)	___	Contamination Threat
<input type="checkbox"/>	<b>COASTAL ZONE</b>	___	State Coastal Zone Management agency (California Coastal Commission (CCC))	___	Coastal Zone Consistency
<input type="checkbox"/>	<b>FLOODPLAIN RISK ASSESSMENT</b>	___	Federal Emergency Management Agency FHWA		
<input type="checkbox"/>	<b>WILD &amp; SCENIC RIVERS</b>	___	U.S. Department of Interior Heritage Conservation/Recreation Service		
<input type="checkbox"/>	<b>BIOLOGY STUDY *</b>	___	FHWA California Department of Fish & Game	___	Sec 7 Biological Opinion Incidental Take Permit
<input type="checkbox"/>	<b>WETLANDS STUDY *</b>  Agricultural Wetlands	___	FHWA/EPA U.S. Fish & Wildlife U.S. Army Corps of Engineers National Marine Fisheries Service Natural Resources Conservation Service	___	Wetlands Findings Verifies juris. wetlands Verifies agri. wetlands
<input type="checkbox"/>	<b>AIR QUALITY STUDY *</b>	___	FHWA		
<input type="checkbox"/>	<b>FARMLANDS</b>	___	Natural Resources Conservation Service U.S. Army Corps of Engineers	___	Verifies prime/unique Approves Conversions

\* FHWA has responsibility for consultation under regulation or interagency agreement.

C.	REQUIRED STUDIES	D.	COORDINATION	E.	PERMIT/APPROVALS
<input type="checkbox"/>	<b>HAZARDOUS MATERIAL STUDY</b> (Cleanup of Hazardous Material Sites)	—	1. CALIF. EPA; Department of Toxic Substances Control, Biennial Reports, Lists of Active Annual Workplan Sites — 2. CALIF. OPR; Hazardous Wastes & Substances Sites List, List of Contaminated Sites — 3. LOCAL; Health & Human Services Dept., Hazardous Waste Operations Division		
<input type="checkbox"/>	<b>SECTION 4(f) EVALUATION *</b>	—	FHWA Public Official w/Jurisdictional Responsibility. SHPO/ACHP (as appropriate) DOI/DOA/HUD/USDA (as appropriate)		FHWA
<input type="checkbox"/>	<b>SECTION 6(f) EVALUATION</b>	—	Park Official DOI		
<input type="checkbox"/>	<b>VISUAL IMPACT STUDY (AESTHETICS)</b>	—	FHWA		
<input type="checkbox"/>	<b>RELOCATION IMPACTS STUDY</b>	—	State & Local Planning Departments		
<input type="checkbox"/>	<b>SOCIO-ECONOMIC EVALUATION</b>	—	Airports, Schools, State and Local Planning Departments		
<input type="checkbox"/>	<b>TRAFFIC</b>	—	FHWA		
<input type="checkbox"/>	<b>SECTION 106/HISTORIC PRESERVATION*</b> — APE Map — Archaeological Field Survey — National Register Records Search — Historic Architectural Evaluation (including bridges)	—	FHWA  Information Centers		
<input type="checkbox"/>	<b>CONSTRUCTION/ENCROACH ON STATE LANDS</b> — Under State Lands Commission Jurisdiction — Under Caltrans Jurisdiction	—	State Lands Commission Caltrans	—	General Permit/Revise General Plans Encroachment Permit
<input type="checkbox"/>	<b>CONSTRUCTION/ENCROACHMENT ON FEDERAL LANDS</b>	—	U.S. Bureau of Reclamation Private Land Owner	—	Encroachment Permit Right of Entry Permit
	Additional studies may be required for other Federal Agencies.				

\* FHWA has responsibility for consultation under regulation or inter-agency agreement.

F. Public Hearing and Public Availability

☐ Not Required ☐ Opportunity for a Public Hearing  
☐ Notices of Availability ☐ Public Hearing Required  
☐ Environmental Document ONLY

G. Preliminary Environmental Document Classification (NEPA)

Based on the evaluation of the project, the environmental document to be developed should be:

☐ Environmental Impact Statement  
☐ Environmental Assessment  
☐ Categorical Exclusion with Special Studies noted in "C Section" of form  
☐ Programmatic Categorical Exclusion

Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_ Telephone #: \_\_\_\_\_

This document was prepared under my supervision, in accordance with the *Local Assistance Procedures Manual, Exhibit 6-B, Instructions for Completing the Preliminary Environmental Study Form*.

Signature local agency: \_\_\_\_\_ Date: \_\_\_\_\_ Telephone #: \_\_\_\_\_

I have reviewed this Preliminary Environmental Study (PES) form and determined that the submittal is complete and sufficient. I concur with the studies to be performed and the recommended level of environmental document.

Signature DLAE: \_\_\_\_\_ Date: \_\_\_\_\_ Telephone #: \_\_\_\_\_

H. Preliminary Environmental Document Classification (NEPA), excluding Programmatic Categorical Exclusion.

I concur with the studies to be performed and the recommended level of environmental document.

Signature FHWA: \_\_\_\_\_ Date: \_\_\_\_\_ Telephone #: \_\_\_\_\_

**Distribution:**

Original: District Local Assistance Engineer

Copy: Local Agency Project Files

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## INSTRUCTIONS FOR COMPLETING THE PRELIMINARY ENVIRONMENTAL STUDY (PES) FORM

When a local agency desires Federal-aid funding for preparing environmental studies and preliminary engineering, the local agency submits a "Request for Authorization" form to the DLAE. The local agency may not proceed with reimbursable activities prior to the projects inclusion in a federally approved FSTIP and receipt of "Authorization to Proceed" notification from Caltrans.

The local agency prepares the Preliminary Environmental Study (PES) form after conducting a site visit of the project area, reviewing current inventories, records, maps, and information relevant to the area, and after consulting with agencies with expertise in the affected environmental elements (water, air, wildlife, plants, etc.), and/or permit or license authority, over the proposed project.

**Agency (Dist-Co-Rte-Agency):** Example: 03-BUT-32-Butte Co

**Project Number** (Federal Prog.Prefix-Proj.No(Agrmnt No): STPL XXXX (001)

**Project Location:** Example: Located 3 miles east of the City of Chico on Rte 32.

**Project Description** (Briefly describe major components of the proposed work:)

Example: Widening and signals or overlay. Indicate the length of the project to the nearest one-tenth of a mile. If the project is a spot location, use 0.1 mile.

### A. The Physical Environment:

The following sources of information should be consulted prior to answering Questions 1-33 or before checking "NO" potential effect (direct or indirect) on the following environmental attributes:

**1. Noise:** Consult 23 CFR 772.5(h); to determine if this is a Type 1 project; "construction on new location or the physical alteration of an existing highway which significantly changes either the horizontal or vertical alignment or increases the number of through-traffic lanes". If yes, insert the appropriate answer next to Question #1 in Section A of the PES form.

**2. Noise:** If "Yes" or "To Be Determined" is answered for Question #1, consult 23 CFR 772, Table 1, to determine if the project will result in predicted traffic noise levels that approach or exceed the noise abatement criteria, or if the predicted traffic noise levels will approach (2 dBA less than Noise Abatement Criteria) or substantially (12 dBA) exceed existing noise levels? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #2 in Section A of the PES form, indicates the need for a Noise Study in Section C of the PES form, and acknowledges required coordination with FHWA, by placing an "X" next to FHWA in Section D. (Refer to the FHWA's Highway Traffic Noise Guidance and Policy for specific instructions on undertaking a Noise Study and preparing a Noise Report).

**3. Noise:** (Pile driving, structure demolition, blasting, etc.) Consider construction activities and techniques. Will the project involve substantial construction noise due to pile driving, structure demolition, blasting, etc.? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #3 in Section A of the PES form, indicates the need for a Noise Study (for construction related activities) in Section C of the PES form, and acknowledges required coordination and permits in Sections D and E respectively.

**4. Water Quality:** Identify water sources within the area, rivers, streams, lakes, estuaries, wetlands, impoundments and reservoirs. Consider project runoff, roadside drainage, and proximity to water courses. Is there a probability that the project will affect water resources? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #4 in Section A of the PES form, indicates the need for a Water Quality Study in Section C of the PES form, and identifies applicable coordination and required permits under Sections D and E respectively.

**5. Sole-Source Aquifer:** Identify subsurface aquifers (sole source aquifers). Consider if the project is located in or near one of the three sites in California that have been designated as sole-source aquifers; one in Fresno County; the Santa Margarita Aquifer in Scotts Valley, Santa Cruz County; and the Campo/Cottonwood Creek Aquifer in Butte County. A fourth site, the Ocotillo Coyote Wells Aquifer in Imperial County is proposed for designation. Environmental Protection Agency (EPA; S.F. Regional Office). Is there a probability that the project activities will affect water resources? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #5 in Section A of the PES form, indicates the need for a Sole Source Aquifer Study in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E respectively.

**6. Coastal Zone:** Check State Coastal Zone Management Program (CZMP) Plan or consult State Coastal Zone Management Agency. Is the action within or does it involve a coastal zone? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #6 in Section A of the PES form, indicates the need for a Coastal Zone Study in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E respectively.

**7. 100-year Floodplain:** Review Federal Emergency Management Agency (FEMA) maps and National Flood Insurance Program (NFIP) maps, available from public libraries, State Department of Water Resources, city and county flood control managers, or public works departments. Will the project encroach on the base (100 year) flood plain? If “yes”, further study will be required to determine if the action would support base floodplain development, and/or if the action will involve any work permanently encroaching on a regulatory floodway or if the action will involve any work affecting the base floodplain (100-year) elevations of a water course or lake? Local agency inserts the appropriate answer next to Question #7 in Section A of the PES form, indicates the need for a Floodplain Risk Assessment in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E respectively.

**8. Wild and Scenic Rivers:** Review most current regional list (study rivers, inventory rivers, designated rivers) available from National Park Service. Consider proximity of project to the Tuolumne, American, Middle Fork of the Feather, Smith, Klamath, Trinity and Eel Rivers, as portions of these rivers are currently classified under this designation (Note: Designation protects river and a 0.25-mile corridor from development). Does the action involve any construction in, across, or adjacent to a river designated as a component or proposed for inclusion in the National System of Wild and Scenic Rivers published by the U.S. Department of the Interior/U.S. Department of Agriculture? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #8 in Section A of the PES form, indicates the need for a Wild and Scenic Rivers Study in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E of the PES form respectively.

**9. Federally-Threatened or Endangered Species:** Consult the California Natural Diversity Data Base (CNDDB), to determine whether any federally “listed”, “proposed” and/or “candidate” endangered and/or threatened plant or animal species and/or their critical habitat have been documented as occurring within the general vicinity of the project area. Next, review the habitat requirements of each federally “listed”, “proposed” and “candidate” species occurring within a 10-mile radius of the project area. During the preliminary drive-by or general reconnaissance survey of the project area, determine whether there is suitable habitat to support any of the species in question. Are any federally “listed”, “proposed” or “candidate” species or their critical habitat likely to be present within or immediately adjacent to the project area? If yes, further study will be required to confirm actual presence and to determine whether the project will affect the species or modify the critical habitat. Local agency inserts the appropriate answer next to Question #9 in Section A of the PES form, indicates the need for a Biology Study in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E of the PES form respectively.

**10. Wetlands:** Consult National Wetland Inventory (NWI) maps, available through the appropriate Natural Resource Conservation Service (NRCS) field office(s). Are wetlands likely to be present? If yes, further study will be required to survey and delineate actual extent of wetlands in accordance with the U.S. Army Corps of Engineers three-parameter definition (33 CFR 323.2(c)). Local agency inserts the

appropriate answer next to Question #10 in Section A of the PES form, indicates the need for a Wetland Study in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E of the PES form respectively.

**11. Special Aquatic Sites or Greater than Five Acres of Other Waters:** Consider whether the project will impact special aquatic sites or greater than five acres of other waters of the U.S., and thereby require an Individual Section 404 Permit. If yes, local agency inserts the appropriate answer next to Question #11 in Section A of the PES form, indicates the need for further study in Section C (within the “Water Quality Study” box) of the PES form, and identifies required coordination under Section D (within the “Water Quality Study” box). The local agency also determines whether the project will involve any U.S. Coast Guard construction permits or any U.S. Army Corps of Engineers Section 404 permits (other than nationwide permits) and indicates as appropriate in Section E of the PES form. The local agency notifies the DLAE as early as possible to consult, and conform to, the provisions of the Memorandum of Understanding National Environmental Policy Act and Clean Water Act Section 404 Integration Process for Surface Transportation Projects in Arizona, California, and Nevada (fully executed spring 1994 by the U.S. Army Corps of Engineers, FWS, NMFS, EPA, FHWA, FTA Caltrans, Arizona DOT, Nevada DOT). AKA NEPA/404 MOU.

**12. Agricultural Wetlands:** Local agency reviews relevant maps and information available from the appropriate National Resources Conservation Service field office (see Exhibit 6-G, Natural Resources Conservation Service (NRCS) Field Offices for a listing of field offices in your area) to determine if any agricultural wetlands are present within the project area. (Note: The U.S. Army Corps of Engineers remains the agricultural wetlands point of contact for Section 404 Permits). Are agricultural wetlands present within or immediately adjacent to the project area? If yes, further study will be required to determine whether the project will affect any agricultural wetland. Local agency inserts the appropriate answer next to Question #12 in Section A of the PES form, indicates the need for a Wetlands Study (Agricultural Wetlands) in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E of the PES form respectively.

**13. Air Quality Conformity:** Does the action conform to the Air Quality Implementation Plan which is approved or promulgated by the Environmental Protection Agency in air quality nonattainment areas? Confirm that the project is in a Federally-approved FSTIP. A project must be included in an Federally-approved FSTIP prior to commencing with the Preliminary Environmental Study. If “yes” insert the appropriate answer next to Question # 13 on the PES form. If “no” local agency should discontinue the Preliminary Environmental Study until such time that the project is included in a Federally-approved FSTIP.

**14. National Ambient Air Quality Standards (NAAQS):** Consider sensitive receptors adjacent or near the project area. Coordination with the DLAE (and if necessary, a District Environmental Engineer) may be necessary to determine if the project will require a hot spot analysis or if the project has the potential to produce localized exceedances in National Ambient Air Quality Standards (NAAQS). Does the project have the potential to produce localized exceedances in National Ambient Air Quality Standards (NAAQS) standards? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #14 in Section A of the PES form, indicates the need for a Air Quality Study in Section C of the PES form, and indicates the need to coordinate with FHWA by placing an “X” in Section D of the PES form.

**15. Prime or Unique Farmlands:** Will farmland be acquired for the project or will the project indirectly lead to the conversion of farmland? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #15 in Section A of the PES form, indicates the need for a Farmlands Study in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E of the PES form respectively. If time permits, local agency completes Parts I and III of Form AD1006 and submits it and maps showing location of alternatives to the appropriate Natural Resources Conservation Service field office for verification of prime and unique farmlands. Are lands subject to the Farmland Protection Policy Act? If no, no further study will be required. If yes, any conversions to non-agricultural use will require coordination with the U.S. Army Corps of Engineers.



**16. Hazardous Material Sites including Underground Tanks:** Review local and State maintained data bases of hazardous materials sites and underground tanks. During the drive-by or walk through survey, note existing land uses (i.e.; gas stations, auto wrecking yards, railroad yard or tracks, landfills, etc.) and any evidence of past land uses (i.e.; above ground tanks, stained soil, 50 gallon drums, etc.) Any known hazardous materials within the right-of-way? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #16 in Section A of the PES form, indicates the need for a Hazardous Materials Study in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E of the PES form respectively.

**17. Modify River, Lake:** Will the project involve modifications or alterations to the channel of a river, stream, bay, inlet or lake? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #17 in Section A of the PES form, indicates the need for a Water Quality Study in Section C of the PES form, and identifies coordination and permit requirements under Sections D and E of the PES form respectively. For projects involving the construction of a bridge over a Navigable River, local agencies indicate that coordination with the Coast Guard will be required during the environmental and design phases of the project (Section D of the PES form) and that a Coast Guard Bridge Permit will be required (Section C of the PES form). Again, for projects impacting special aquatic sites or greater than five acres of other waters of the U.S., an Individual Section 404 Permit will be required. Local agencies should notify the DLAE as early as possible to consult and conform to the provisions of the Memorandum of Understanding National Environmental Policy Act and Clean Water Act Section 404 Integration Process for Surface Transportation Projects in Arizona, California, and Nevada (fully executed spring 1994 by the U.S. Army Corps of Engineers, FWS, NMFS, EPA, FHWA, FTA Caltrans, Arizona DOT, Nevada DOT). AKA NEPA/404 MOU.

**18. Section 4(f) Parklands:** Review right-of-way and/or parcel maps to determine ownership prior to conducting a site visit. Observe existing land uses during the site visit. Are any publicly owned park lands, recreation areas, wildlife or waterfowl refuges in or near the project area? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #18 in Section A of the PES form, indicates the need for a Section 4(f) Evaluation in Section C of the PES form, and identifies coordination and permit requirements under Sections D and E of the PES form respectively.

**19. Section 6(f):** Review the California Department of Parks and Recreation list of properties purchased under the Federal Land and Water Conservation Fund (LWCF) program. The Federal Land and Water Conservation Fund (LWCF) program was a program of the National Park Service, Department of the Interior, administered through the California Department of Parks and Recreation. Will the project use properties purchased under Section 6(f) program? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #19 in Section A of the PES form, indicates the need for a Section 6(f) Evaluation in Section C of the PES form, and identifies coordination and permit requirements under Sections D and E of the PES form respectively.

**20. Visual Impact:** During the site visit, consider the scenic attributes of the project area. Will the project involve large cuts or fill areas or large structures resulting in visual impacts on scenic areas? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #20 in Section A of the PES form, indicates the need for a Visual Impact Study in Section C of the PES form, and identifies coordination and permit requirements under Sections D and E of the PES form respectively.

**21. Light, Glare and Shadows:** Consider project construction, operation and maintenance. Will the project produce light, glare or shadows? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #21 in Section A of the PES form, indicates the need for a Visual Impact Study in Section C of the PES form, and identifies coordination and permit requirements under Sections D and E of the PES form respectively.

**22. Right of Way:** Does the project require the acquisition of more than minor amounts of temporary or permanent strips of right-of-way for construction of such items as clear vision corners and grading. Consider construction easements and utility relocations and partial or full takes of right-of-way. If yes, insert the

appropriate answer next to Question #22 in Section A of the PES form and continue to Questions #23-31. Attach description (including total acreage and ownership) for all "Yes" and "To Be Determined" answers.

**23. Displace Business and Residences:** Does the project require the acquisition of more than minor amounts of temporary or permanent strips of right-of-way. (Consider utility easements, grading, slope, clear vision corners, etc.) During the site visit, note if any of the existing businesses or residences will be displaced by the project. Will the project displace any businesses and residences? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #23 in Section A of the PES form, indicates the need for a Relocation Impacts Study in Section C of the PES form, and identifies coordination and permit requirements under Sections D and E of the PES form respectively.

**24. Divide or Disrupt an Established Community:** Consult the census and conduct a site visit. Will the action divide or disrupt an established community? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #24 in Section A of the PES form, indicates the need for a Socio-Economic Evaluation in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E respectively.

**25. Minority or Low Income Community:** Presidential E.O. 12898 on Environmental Justice requires Federal agencies to assure that their actions do not result in disproportionate adverse environmental impacts on minority or low-income. Consult the Census to identify any minority (more than 50%) of low-income (more than 50%) community or communities that will be adversely impacted by the project. If the answer to Question #24 is yes, is the community a minority or low-income community? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #25 in Section A of the PES form, indicates the need for a Socio-Economic Evaluation in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E respectively.

**26. Induce growth:** Consider type, scope and location of project, surrounding land uses and community plans. Will the project induce unplanned growth? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #26 in Section A of the PES form, indicates the need for a Socio-Economic Evaluation in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E respectively.

**27. Consistent with Community Plans:** Check General Plan or Community Plan. Is the project inconsistent with plans and goals adopted by the community? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #27 in Section A of the PES form, indicates the need for a Socio-Economic Evaluation in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E respectively.

**28. Public services:** Review public services and utilities presently available to the project area. Will the project result in the need for public services, including utilities other than those presently available or proposed? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #28 in Section A of the PES form, indicates the need for a Socio-Economic Evaluation in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E respectively.

**29. Access Control:** Will the project involve any changes in access control? If yes, insert the appropriate answer next to Question #29 in Section A of the PES form and discuss the potential for public controversy as soon as possible.

**30. Local traffic patterns:** Consider local traffic patterns during construction, operation, and maintenance of the proposed facility. Will the project affect local traffic patterns? If yes, local agency inserts the appropriate answer next to Question #30 in Section A of the PES form, indicates the need for a Traffic Study in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E respectively. The traffic study should address provisions for local traffic patterns, through-traffic dependent businesses, construction of detours or ramp closures, local special events or festivals, temporary roads, detours or ramp closures and any substantial public controversy?

**31. Parking:** Consider parking needs during and after construction. Will the project significantly reduce available parking? If yes, insert the appropriate answer next to Question #31 in Section A of the PES form and address the parking situation in the environmental document. If parking is a controversial issue in the project community, a public information meeting and/or public hearing may be required.

**32. Future Construction:** Consider whether the project will be able to function independently or if future construction will be required to fully utilize the design capabilities included in the proposed project. Will the project require future construction to fully utilize the design capabilities included in the proposed project? If yes, insert the appropriate answer next to Question #32 in Section A of the PES form, and notify the DLAE as soon as possible.

**33. Public Controversy:** Consider community planning and “quality of life” priorities. For example, is the community mass transit oriented, historically or environmentally oriented? Will the action generate substantial public controversy? If yes, insert the appropriate answer next to Question #33 in Section A of the PES form and address publicly controversial issues in the environmental document. Note: A public information meeting and, quite possibly, a public hearing on the environmental document may be required on projects generating substantial public controversy.

**34. Construction Encroachment:** Will the project encroach on State or Federal Lands? If yes, local agency inserts the appropriate answer next to Question #34 in Section A of the PES form, indicates the need for further study in Section C of the PES form, and indicates coordination and permit requirements under Sections D and E respectively.

**35. Historic Properties:** The local agency requests information from the Information Centers for California Historical Resources Information System and the Native American Heritage Commission and conducts a site visit. Using the information obtained from these efforts the local agency determines if there are any properties within the project area, that are potentially eligible for, or listed on, the National Register of Historic Places. If yes, the local agency prepares an Area of Potential Effect (APE) map. The APE map shall identify the geographical area where the project impacts can reasonably be expected to affect the historical/cultural qualities possessed by the property that is potentially eligible for, or listed on, the National Register. The APE shall include the areas of direct impact, including existing and proposed right of way easements, (temporary and permanent), mandatory material or disposal sites, and all structures within the required right of way). When delineating the boundary of the APE map, consideration should also be given to significant noise and/or visual impacts associated with the project. Will the project involve National Register listed or potentially eligible historic properties? If yes, further study will be required. Local agency inserts the appropriate answer next to Question #35 in Section A of the PES form, indicates the need for a Section 106 Study in Section C of the PES form, and identifies coordination and permit requirements under Sections D and E of the PES form respectively.

**NOTE: For all "YES" and "TO BE DETERMINED" answers, early coordination between the DLAE, the FHWA, and the local agency should be undertaken to insure proper agency coordination and appropriate scope of study.**

### **Sections C, D, & E:**

Indicate which studies will be required based on those questions where a "YES" or "TO BE DETERMINED" answer was checked. Check the required study and indicate if coordination or permits and approvals will be required.

#### **Completing Section C of the PES Form - Required Studies**

Local agency considers the results of the preliminary environmental investigation and the responses to the questions under Sections A and B of the PES form. When sensitive environmental resources are present within or adjacent to the project area, a study, to determine the project's potential to significantly impact those resources, must be undertaken. Refer to the *Local Programs Manual, Volume III* for additional information on the appropriateness of undertaking specific studies.

#### **Completing Section D of the PES Form - Coordination**

Local agency indicates whether coordination with State resource agencies is required. Written concurrence from the appropriate resource or regulatory agency, regarding the results of most studies should be solicited and attached to the study.

As mentioned earlier, coordination with the State Historic Preservation Officer should be limited to information gathering. In this way, prompt replies may be reasonably assured and the potential for unnecessary delays avoided.

#### **Completing Section E of the PES Form - Permits and Approvals**

The local agency indicates whether any permits will be required.

Types of permits to consider include, but are not limited to:

- U.S. Army Corps of Engineers 404 Permit for Bridge Construction
- U.S. Army Corps of Engineers 404 Permit for work in Wetlands
- California Dept. of Fish and Game 1601/03 Permit for Streambed Alteration
- U.S. Forest Service Antiquities Permit for Archaeological Data Recovery

Local agencies should consult the California Permit Handbook.

#### **Completing Section F of the PES Form - Public Hearing and Public Availability**

Local agency indicates whether a Public Hearing or Public Availability will be required. See *Chapter 8, Public Hearing*.

When determining whether a public hearing is necessary, note that all Draft EISs require a public hearing, and NEPA requires a public hearing on environmental documents when there is:

- substantial environmental controversy concerning the proposed action.
- substantial interest in holding a hearing.
- a request for hearing by another agency with jurisdiction over action

Public Involvement for other Federal environmental processes includes:

- Section 4(f) - comment by DOI and, as appropriate, USDA and/or HUD and when a draft Section 4(f)
- Evaluation is included in the environmental document that is circulated for public comment
- Section 106 - a public notice if the project will affect a historic (non-archeological) property)
- Section 7 - doesn't in itself require public involvement

- E.O. 11990 (Wetlands) - a public notice if the project will affect a wetland
- E.O. 11998 (Floodplain) - a public notice if the project involves a of floodplain encroachment

**Completing Section G of the PES Form - Preliminary Environmental Document Classification (Programmatic CE/CE/EA/EIS)**

The local agency makes a determination as to the appropriate level of environmental document based on the answers provided in Sections A-C of the PES form. When more than one study is required, the potential for a significant “cumulative” impact should also be considered. If in doubt, check with your DLAE engineer. Refer to the *Local Programs Manual, Volume III* when determining whether to prepare an EA or an EIS.

**Signatures:**

Complete signature blocks.

**Preparer** - Name and telephone number of local agency staff person or environmental consultant that performed the preliminary research and completed the preliminary environmental study form.

**Local Agency** - Person with responsible charge--Public Works Director or City Engineer.

**DLAE** - District Local Assistance Engineer responsible for processing the project.

**FHWA (If applicable)** - Federal Highway Administration Transportation Engineer responsible for processing the project.

## SAMPLE LETTER -- BIOLOGICAL RESOURCES

**Local agency should send this request for information to the California Department of Fish and Game whenever vegetation (natural or agricultural) or water resources (including lakes, rivers, creeks, vernal pools, vernal swales, and/or irrigation, agricultural or roadside drainage ditches) are present within or immediately adjacent to the project area.**

### COUNTY/CITY/ENVIRONMENTAL CONSULTANT LETTERHEAD

California Department of Fish and Game  
Natural Diversity Database (CNDDB) Unit  
1220 S Street  
Sacramento, CA. 95814

RE: Request for List of State and Federal Status Occurrences from the Natural Diversity Database (Rare find)

Description of proposed action:

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Name of USGS Topographic Map (7.5 minute series) on which project location appears.

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Please provide us with the following information:

List of any occurrences of State Status species  
List of occurrences of Federal Status species  
List of any significant natural areas you may have on file  
Map Overlay.

Contact person and telephone:

---

Sincerely,

---

Name and Title

**Distribution:**

Original: California Department of Fish and Game  
Copies: District Local Assistance Engineer  
Local Agency Project Files

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## SAMPLE LETTER - CULTURAL RESOURCES

**Local agency should send this request for information to the Native American Heritage Commission for all projects requiring new right-of-way and/or for projects having the potential to affect a burial site.**

### COUNTY/CITY/ENVIRONMENTAL CONSULTANT LETTERHEAD

Native American Heritage Commission  
1020 O Street., Room 130  
Sacramento, CA. 95814

RE: Request for Information -- For Rural Projects Requiring New ROW and/or for Projects Having the Potential to Affect a Burial Site.

Description of proposed action:

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Location: \_\_\_\_\_.

Please identify the Most Likely Descendants and advise about the presence of sacred sites on record in your inventory. Please advise us of the Native American contacts to be made with regards to planning to avoid or otherwise address sacred site issues.

Contact person and telephone:

---

Sincerely,

\_\_\_\_\_  
Name and Title

Attachment: Project Map

**Distribution:**

Original: Native American Heritage Commission  
Copies: District Local Assistance Engineer  
Caltrans District Native American Coordinator  
Local Agency Project Files



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**SAMPLE LETTER**  
**CULTURAL RESOURCES -- INFORMATION CENTERS OF THE HISTORICAL**  
**RESOURCES INFORMATION SYSTEM**

**Local agency should send this request for information to the information center or centers which have responsibility for the project area. The request should be sent for projects involving new right-of-way, when it is unclear whether cultural resources are present within the project area, or to obtain a list of qualified archaeologists.**

COUNTY/CITY/ENVIRONMENTAL CONSULTANT LETTERHEAD

Information Center or Centers having responsibility for the project area.  
(See Exhibit 6-H for a list of addresses for Information Centers of the Historical Resources Information System)

RE: Request for Information

Description of proposed action:

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Location: \_\_\_\_\_.

Please provide us with a listing of historic and archaeological properties within the immediate vicinity of the project, that are currently on the National Register of Historic Places. We would also like a list of consultants who are qualified to do archeological field work within this area.

Contact person and telephone:

---

Sincerely,

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Name and Title

Attachment: Project Map

**Distribution:**

Original: Information Center of the Historical Resources Information System  
Copies: District Local Assistance Engineer  
District Native American Coordinator  
Local Agency Project Files

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## SAMPLE LETTER -- CULTURAL RESOURCES (LOCAL)

Local agency should send this request for information to the Local Historical Society for all projects requiring new right-of-way, when it is unclear whether historical resources or properties of local significance may be present within the project area.

### COUNTY/CITY/ENVIRONMENTAL CONSULTANT LETTERHEAD

Local (County and/or City) Historical Society

RE: CULTURAL RESOURCE INVENTORY for \_\_\_\_\_(Project Name)\_\_\_\_\_

Description of proposed action:

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Location: \_\_\_\_\_.

Please provide us with any information you may have regarding the history or historical resources relevant to the project area and/or properties of local significance, that might be affected by the proposal.

Contact person and telephone:

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Sincerely,

\_\_\_\_\_  
Name and Title

Attachment: Project Map

**Distribution:**

Original: County Historical Society  
Copies: District Local Assistance Engineer  
Local Agency Project Files

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## FIELD OFFICE LOCATIONS - NATURAL RESOURCES CONSERVATION SERVICE

### UNITED STATES DEPARTMENT OF AGRICULTURAL NATURAL RESOURCES CONSERVATION SERVICE

#### CALIFORNIA DIRECTORY 1995

CALIFORNIA STATE OFFICE  
2121-C 2nd Street, Suite 102  
Davis, CA 95616-5475

Telephone: (916) 757-8200  
Fax: (916) 757-8381  
or (916) 757-8382

County	Address	Telephone
ALAMEDA (Terence Huff)	*Livermore Field Office 1560 Catalina Court Livermore, CA 94550	(510) 447-0749 FAX: (510) 443-1048
ALPINE	Alpine R.C.D. PO Box 517 Minden, NV 89423	(702) 782-3661 (916) 541-1496
AMADOR (Robert E. Long)	*Jackson Field Office 42A Summit Street Jackson, CA 95642	(209) 223-1846
BUTTE (Wendal C. Gilgert)	Willows Field Office 132 North Enright Willows, CA 95988	(916) 934-4601
(Dean W. Burket)	Soil Survey Team CA State University, Chico Soil Conservation Service Chico, CA 95929-0310	(916) 898-4903 FAX: (916) 898-4675
CALAVERAS (Robert E. Long) (Jackson F. O. )	Jackson Field Office 42A Summit Street Jackson, CA 95642	(209) 223-1846 FAX: (209) 946-6229
COLUSA (Alan R. Forkey)	Colusa Field Office 100 Sunrise Blvd., Suite B Colusa, CA 95932	(916) 458-2931
CONTRA COSTA (Larry R. Soenen)	Concord Field Office County Farm Bureau Building 5552 Clayton Road Concord, CA 94521	(510) 672-4577 FAX: (510) 672-8064
DEL NORTE (David W. Howell)	Arcata Soil Survey Office Humboldt State Univ. House 87 Arcata, CA 95521	(707) 826-4874 (707) 444-9708 FAX: (707) 826-5555

<u>County</u>	<u>Address</u>	<u>Telephone</u>
EL DORADO (James C. Kimmel)	Placerville Field Office 415 Placerville Drive, Ste "M" Placerville, CA 95667 {Lake Tahoe Area----	(916) 622-1410 (916) 622-1416 FAX: (916) 622-2563 ----- (916) 514-1496}
EL DORADO (Joseph W. Thompson)	South Lake Tahoe Field Office 870 Emerald Bay Rd, Suite 105 P. O. Box 10529 South Lake Tahoe, CA 96158	(916) 541-1496 FAX: 916) 544-4491
FRESNO (Frank J. Menezes)	Fresno Field Office 4625 W. Jennifer, Suite 125 Fresno, CA 93722	(209) 276-7494 FAX: (209) 487-5209
GLENN (Wendel C. Gilgert)	Willows Field Office 132 North Enright Willows, CA 95988	(916) 934-4601 FAX: (916) 934-0184
HUMBOLDT	Eureka Field Office 5630 S. Broadway Eureka, CA 95503	(707) 444-9708 FAX: (707) 444-9334
IMPERIAL (Steve L. Cameron)	El Centro Field Office 2151 Adams Ave El Centro, CA 92243	(619) 352-7886 FAX: (619) 339-9896
INYO (Mark D. Davis)	Bishop Field Office 136 Edwards Street Bishop, CA 93514	(619) 872-6111 FAX: (619) 872-1166
KERN (John M. Wright)	Bakersfield Field Office 1601 New Stine Rd, Suite 270 Bakersfield, CA 93309	(805) 861-4129 (805) 861-4120 FAX: (805) 861-4360
(John M. Wright) Bakersfield Field Office	*Techachapi Field Office 117 South Mill St., Suite 1 Techachapi, CA 94561	(805) 822-7506
KINGS (Vincent C. Moreno)	Hanford Field Office 680 Campus Drive, Suite E Hanford, CA 93230	(209) 584-9209 FAX: (209) 584-8715
LAKE (Leonard W. Kashuba)	*Lakeport Field Office 2559 Lakeport Blvd Lakeport, CA 95453	(707) 263-4180 FAX: (707) 263-1052
LASSEN (Kenneth E. Weaver)	Susanville Field Office 170 Russel Avenue, Suite I Susanville, CA 96130	(916) 257-7271 (916) 257-5252 (916) 284-7126

County	Address	Telephone
LOS ANGELES (L. Robert Dean)	Lancaster Field Office 44811 N. Date Ave, Suite G Lancaster, CA 93534 {Riverside ----- {Calabasas -----	(805) 945-2604 FAX: (805) 942-5503 ----- (909) 684-1552} ----- (818) 222-4750}
MADERA (Donald L. Nielsen)	Madera Field Office 425 North Gateway, Suite K Madera, CA 93637	(209) 674-2108
MARIN (Lisa Woo Shanks)	Petaluma Field Office 1301 Redwood Way, Suite 170 Petaluma, CA 94954	(707) 794-1242 (707) 794-1234 FAX: (707) 794-7902
MARIPOSA (Malia R. Oliver) (Merced Field Office)	*Mariposa Sub Office 5009 Fairgrounds Rd P. O. Box 746 Mariposa, CA 95338	(209) 966-3431 FAX: (209) 966-2056
MENDOCINO (Tom Schott)	Ukiah Field Office 405 Orchard Avenue Ukiah, CA 95482	(707) 468-9223 (707) 468-9224 FAX: (707) 462-1125
MERCED (Malia R. Oliver)	Merced Field Office 2135 Wardrobe Ave., Suite C Merced, CA 95340	(209) 723-3714 FAX: (209) 725-2964
(Malia R. Oliver) (Merced Field Office)	Los Banos Sub-Office 745 West J. Street Los Banos, CA 93635	(209) 826-5770
MODOC (Oscar G. Hernandez)	Alturas Field Office 1030 N. Main Suite 101 Alturas, CA 96101 {Dorris ---	(916) 233-4137 FAX: (916) 233-2709 ----- (916) 397-2555}
MONO (Mark D. Davis)	Bishop Field Office 136 Edwards Street Bishop, CA 93514	(619) 872-6111 FAX: (619) 872-1166
MONTEREY (Danny R. Marquis)	*King City Field Office 426 S. Mildred Street King City, CA 93930	(408) 385-5545 FAX: (408) 385-4806
(Albert Cerna Jr.)	Salinas Field Office 635 Sanborn Place, Suite 7 Salinas, CA 93901	(408) 424-1036 (408) 424-7289
NAPA (Phillip R. Blake)	Napa Field Office 1303 Jefferson St., Ste 500B Napa, CA 94559	(707) 252-4189 FAX: (707) 252-4219



<u>County</u>	<u>Address</u>	<u>Telephone</u>
NEVADA (Ronald H. Zinke)	Grass Valley Field Office 113 Presley Way, Suite 1 Grass Valley, CA 95945 {Tahoe ---	(916) 272-3417 FAX: (916) 477-8055 ----- (916) 541-1496}
ORANGE (Richard B. Wagoner)	*Riverside Field Office 1299 Columbia Ave., Suite E-5 Riverside, CA 92507	(909) 684-1552 FAX: (909) 683-3814
PLACER (Clifford F. Heitz)	Auburn Field Office 251 Auburn Ravine Rd, Ste 201 Auburn, CA 95603 {Tahoe ---	(916) 823-6830 FAX: (916) 823-6830 ----- (916) 541-1496
PLUMAS (Kenneth E. Weaver (Susanville Field Office)	Susanville Field Office 170 Russel Avenue, Suite I Susanville, CA 96130	(916) 257-7271 FAX: (916) 257-5252 (916) 284-7126
RIVERSIDE (Raul S. Alverado)	Blyth Field Office 200 East Murphy St., Rm 201 P. O. Box 610 Blyth, CA 92226-0610	(619) 922-3446 FAX: (619) 922-6988
(S. Sam Asian)	Indio Field Office 80975 Indio Blvd, Suite B-11 Indio, CA 92201	(619) 347-7658 FAX: (619) 347-4967
(Richard . Wagoner)	*Riverside Field Office 1299 Columbia Ave., Suite E-5 Riverside, CA 92507	(909) 684-1552 FAX: (909) 683-3814
(Robert S. Hewitt)	*San Jacinto Field Office 711 C. West Esplanade, Ste C San Jacinto, CA 92582	(909) 654-7733 FAX: (909) 654-3157
SACRAMENTO (Herbert S. Cook)	Sacramento Field Office 65 Quinta Court, Suite C Sacramento, CA 95823	(916) 682-7844 (916) 682-7845 FAX: (916) 689-8871
SAN BENITO (Jeffrey R. Rodriguez)	Gilroy Field Office 8352 Church Street, Suite D Gilroy, CA 95020	(408) 636-8029 (408) 385-5545 FAX: (408) 847-3026
SAN BERNARDINO (James R. Earsom)	Redlands Field Office 25809-B Business Center Drive Redlands, CA 92374	(909) 799-7407 FAX: (909) 799-1438
(J. Rick Aguayo)	Apple Valley Field Office 18484 Highway 18, Ste. 195 Apple Valley, CA 92307-2306 {Riverside---	(619) 242-2906 FAX: (619) 242-0203 ----- (909) 684-1552

County	Address	Telephone
SAN DIEGO	*El Cajon Field Office 1132 North Second Street El Cajon, CA 92021	(619) 442-0559 (619) 442-2917
(Jason N. Jackson)	Escondido Field Office 332 S. Juniper St, Ste 110 Escondido, CA 92025	(619) 745-2061 (619) 745-3210
(Victor W. Smothers)	*Fallbrook Sub-Office 1181 East Mission Street Fallbrook, CA 92028-2231	(619) 728-1332 FAX: (619) 723-5316
SAN FRANCISCO (Richard J. Casale) (Aptos Field Office)	Half Moon Bay Sub-Office 785 Main Street, Ste C Half Moon Bay, CA 94109	(415) 726-4660 FAX: (415) 726-0494
SAN JOAQUIN (David R. Simpson)	Stockton Field Office 1222 Monaco Court, No. 23 Stockton, CA 95207	(209) 946-6229 (209) 946-6248 FAX: (209) 946-6036
SAN LUIS OBISPO (C. Scott Robbins)	*Morro Bay Field Office 545 Main Street, Suite B-1 Morro Bay, CA 93442	(805) 772-4391 FAX: (805) 772-4398
(Boyd W. Desonia)	Paso Robles Field Office 610 Tenth Street, Suite B Paso Robles, CA 93446	(805) 238-0934 FAX: (805) 238-9405
SAN MATEO (Richard J. Casale) (Aptos Field Office)	Half Moon Bay Sub-Office 785 Main Street, Ste C Half Moon Bay, CA 94109	(415) 726-4660 FAX: (415) 726-0494
SANTA BARBARA (Gerald Czarnechi)	Santa Maria Field Office 624-B West Foster Rd. Suite 1 Santa Maria, CA 93455	(805) 937-6363 (805) 937-6364 FAX: (805) 937-3053
SANTA CLARA (Edward N. Denton)	*Gilroy Field Office 8352 Church Street, Suite D Gilroy, CA 95020	(408) 847-4161 FAX: (408) 847-3026
SANTA CRUZ (Richard J. Casale)	*Aptos Field Office 3233 Valencia Avenue, Ste B-6 Aptos, CA 95003	(408) 688-1562 (408) 688-1563 FAX: (408) 685-3602
SHASTA (Robert M. Bailey)	Redding Field Office 3179 Bechelli Lane, Suite 107 Redding, CA 96002-2041	(916) 246-5252 FAX: (916) 246-5164
SIERRA (Kenneth E. Weaver)	Susanville Field Office 170 Russel Avenue, Suite I Susanville, CA 96130	(916) 257-7271 FAX: (916) 257-5252

<u>County</u>	<u>Address</u>	<u>Telephone</u>
SISKIYOU (Kevin A. Conroy)	*Dorris Field Office 308 Main Street P. O. Box 785 Dorris, CA 96023	(916) 397-2555 FAX: (916) 397-3307
(Jennifer Foster)	Yreka Field Office 215 Executive Ct. Suite A Yreka, CA 96097	(916) 842-6121 (916) 842-1027
SOLANO (Walter Cheechov)	Dixon Field Office 1170 N. Lincoln, Suite 110 Dixon, CA 95620	(916) 678-1655
SONOMA (Richard J. King)	*Santa Rosa Field Office 777 Sonoma Ave., Rm 2-12 Santa Rosa, CA 95404	(707) 575-1409 (707) 575-0787
STANISLAUS (Mike A. McElhiney)	*Patterson Field Office 218 North El Circulo Patterson, CA 953663-2521	(209) 892-6193 (209) 892-6689 FAX: (209) 892-5136
SUTTER (Ernst D. Paschke)	Yuba City Field Office 1511 Butte House Rd., Suite B Yuba City, CA 95993	(916) 674-1461 (916) 674-1480 FAX: (916) 673-5360
TEHAMA (Mark S. Parsons)	Red Bluff Field Office 2 Sutter Street, Suite D Red Bluff, CA 96080	(916) 527-4231 FAX: (916) 527-7451
TRINITY (James F. Spear)	Weaverville Field Office No. 3 Horseshoe Lane P. O. Box 1414 Weaverville, CA 96093	(916) 623-3991 FAX: (916) 623-2353
TULARE (Curtis Tarver)	Visalia Field Office 3135 S. Mooney Blvd., Suite C Visalia, CA 92377	(209) 732-9163 FAX: (209) 732-2805
TUOLUMNE (Mike A. McElhiney) (Patterson Field Office)	Patterson Field Office 218 North El Circulo Patterson, CA 95363-2521	(209) 892-6193 FAX: (209) 892-5136
VENTURA (Stephen Jewett)	Somis Field Office 3380 Somis Road P. O. Box 260 Somis, CA 93066	(805) 386-4489 FAX: (805) 386-4489
YOLO (J. Phillip Hogan)	Woodland Field Office 221 West Ct. Street, Suite 5 Woodland, CA 95695	(916) 662-2037 FAX: (916) 662-4876

<u>County</u>	<u>Address</u>	<u>Telephone</u>
YUBA (Ernst D. Paschke)	Yuba City Field Office 1511 Butte House Road, Ste. B Yuba City, CA 95993	(916) 674-1461 (916) 674-1480 FAX: (916) 673-5360

\*Field Offices that are subject to close.

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NATURAL RESOURCES  
CONSERVATION SERVICE

LOCKFORD PLANT MATERIALS CENTER  
21001 North Elliot Road  
P. O. Box 68  
Lockford, CA 95237  
(David A. Dyer, Manager)

Telephone: (209) 727-5319  
FAX: (209) 727-5923

California Association of Resource  
Conservation Districts  
1524 17th Street  
Sacramento, CA  
(Julie Spezia, Executive Director)

Telephone: (916) 447-7237  
FAX: (916) 447-2532

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WETLANDS MAPS

United States Department  
of the Interior  
Fish and Wildlife Services  
June Deweese (916) 979-2113  
1-800 USAMAPS  
\$3.50 each - 2-3 weeks delivery time

QUADRANGLE MAPS

United States Department  
of the Interior  
Geological Survey  
Menlo Park  
(415) 853-8300

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STATE OF CALIFORNIA - THE RESOURCES AGENCY

PETE WILSON, Governor

**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896  
SACRAMENTO, CA 94296-0001  
(916) 653-6624  
FAX (916) 653-9824



**INFORMATION CENTERS OF THE  
HISTORICAL RESOURCES INFORMATION SYSTEM**

The following institutions are under agreement with the Office of Historic Preservation to:

1. Integrate newly discovered Resources and information on known Resources into California Historical Resources File System;
2. Supply information on known Resources and surveys to government, institutions, and individuals who have a justifiable need to know; and
3. Supply a list of consultants who are qualified to do archeological field work within their area.

COORDINATORS: Mr. William C. Seidel, Staff Archeologist, (916) 653-9125  
Ms. Jan Wooley, Staff Historian, (916) 653-9019

<u>INFORMATION CENTERS</u>	<u>COUNTIES</u>	<u>INFORMATION CENTERS</u>	<u>COUNTIES</u>
Dr. David A. Fredrickson, Coordinator Northwest Information Center Department of Anthropology Sonoma State University Rohnert Park, CA 94928 Attn.: Leigh Jordan (707) 664-2494 Fax (707) 664-3947	Alameda, Colusa, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendocino, Monterey, Napa, San Benito, San Francisco, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, Yolo	Dr. Michael A. Glassow, Coordinator Central Coastal Information Center Department of Anthropology University of California, Santa Barbara Santa Barbara, CA 93106 (805) 893-2474	San Luis Obispo, Santa Barbara
Dr. Mark Kowta, Coordinator Northeast Information Center Department of Anthropology, Colusa 103 California State University, Chico Chico, CA 95929-0400 Attn.: Bill Dreyer (916) 898-6256 Fax (916) 898-6824	Butte, Glenn, Lassen, Modoc, Plumas, Shasta, Sierra, Siskiyou, Sutter, Tehama, Trinity	Dr. Lynn Christenson, Coordinator South Coastal Information Center Social Sciences Research Laboratory San Diego State University San Diego, CA 92182-0436 Attn.: Jan Culbert (619) 594-5682 Fax (619) 594-1358	San Diego
Dr. Jerald J. Johnson, Coordinator North Central Information Center Department of Anthropology California State University, Sacramento 6000 J Street Sacramento, CA 95819-6106 Attn.: Marianne Russo (916) 278-6217 Fax (916) 278-5162	Amador, El Dorado, Nevada, Placer, Sacramento, Yuba	Robin Laska, Acting Coordinator San Bernardino Archeological Information Center San Bernardino County Museum 2024 Orange Tree Lane Redlands, CA 92374 (909) 792-1497 Fax (909) 798-8585	San Bernardino
Ms. Elizabeth A. Greathouse, Coordinator Central California Information Center Department of Anthropology California State University, Stanislaus 801 Monte Vista Avenue Turlock, CA 95380 Attn.: Alice Lawrence (209) 667-3307 Fax ((209) 667-3333	Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus, Tuolumne	Dr. M. C. Hall, Coordinator Eastern Information Center Department of Anthropology University of California Riverside, CA 92521 (909) 787-5745 Fax (909) 787-5409	Inyo, Mono, Riverside
Ms. Catherine Lewis Pruett, Coordinator Southern San Joaquin Valley Information Center California State University, Bakersfield 9001 Stockdale Highway Bakersfield, CA 93311-1099 (805) 664-2289 Fax (805) 664-3194	Fresno, Kern, Kings, Madera, Tulare	Mr. Jay Von Werlhof, Coordinator Southeast Information Center Imperial Valley College Museum P.O. Box 3490 El Centro, CA 92244 Attn.: Ray Wilcox (619) 352-9320 Ext. 471	Imperial

INFORMATION CENTERS

COUNTIES

INFORMATION  
CENTERS

COUNTIES

Ms. Phyllisa Eisentraut, Coordinator Los Angeles, Orange, Ventura  
South Central Coastal Information  
Center  
Institute of Archeology  
University of California, Los  
Angeles  
Los Angeles, CA 90024-1510  
(310) 825-1980  
Fax (310) 206-4723

## IMPACT BASED PROGRAMMATIC CATEGORICAL EXCLUSION

The California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA) concur in advance with the classification of those types of Categorical Exclusions (CE's), identified in 23 CFR 771.117(d) with no environmental impacts. Caltrans certifies that all the conditions indicated in this blanket classification will be satisfied for all of the projects processed under this programmatic classification and approval process.

Additional actions which qualify as CEs under 23 CFR 771.117(d), and which meet the criteria of 23 CFR 771.117(a), may be designated as CEs upon the submission of documentation which demonstrates that the specific conditions of criteria for those CEs are satisfied, and that significant environmental impacts will not result.

The following conditions apply to actions qualifying for Categorical Exclusion under 23 CFR 771.117(d), and must be considered by the DLAE prior to processing a local agency project under the Nationwide or Programmatic Categorical Exclusion. If one or more of the conditions are not satisfied, the local agency must process the project with a separate environmental document (demonstrating the specific conditions support the classification), for FHWA approval.

1. The action does not have any significant environmental impacts as described in 23 CFR 771.117(a);
2. The action does not involve unusual circumstances as described in 23 CFR 771.117(b);
3. The action does not involve the following:
  - a. The acquisition of more than minor amounts of temporary or permanent strips of right-of-way for construction of such items as clear vision corners and grading. Such acquisitions will not require any commercial or residential displacements.
  - b. The use of properties protected by Section 4(f) of the Department of Transportation Act (49 U.S.C. 303).
  - c. A determination of adverse effect by the State Historic Preservation Officer.
  - d. Any U.S. Coast Guard construction permits or any U.S. Army Corps of Engineers Section 404 permits [other than nationwide (blanket) permits].
  - e. Any work in wetlands.
  - f. Any work permanently encroaching on a regulatory floodway or any work affecting the base floodplain (100-year) elevations of a water course or lake.
  - g. Construction in, across, or adjacent to a river designated as a component or proposed for inclusion in the National System of Wild and Scenic Rivers published by the U.S. Department of the Interior / U.S. Department of Agriculture.
  - h. Any changes in access control.



- i. The use of a temporary road, detour or ramp closure unless the use of such facilities satisfy the following conditions:
    - (1) Provisions are made for access by local traffic and so posted.
    - (2) Through-traffic dependent business will not be adversely affected.
    - (3) The detour or ramp closure, to the extent possible, will not interfere with any local special event or festival.
    - (4) The temporary road, detour, or ramp closure does not substantially change the environmental consequences of the action.
    - (5) There is no substantial controversy associated with the temporary road, detour, or ramp closure.
  - j. Any known hazardous materials sites or hazardous materials remains within the right-of-way.
- 4. The action conforms to the Air Quality Implementation Plan which is approved or promulgated by the Environmental Protection Agency in air quality nonattainment areas.
  - 5. The action is consistent with the State's Coastal Zone Management Plan.
  - 6. The action does not affect federally listed endangered or threatened species or critical habitat.

All determinations made by Caltrans under this blanket classification will be documented. The documentation will be available for FHWA review upon request.

A list of individual projects classified under this blanket classification will be furnished to the FHWA Division Office prior to final design activities, property acquisition (with the exception of hardship and protective buying), or project construction.

**CALTRANS DETERMINATION:**

The action to which this determination applies is a Categorical Exclusion.

*(original signed by)*

\_\_\_\_\_  
Chief, Caltrans Environmental Analysis

\_\_\_\_\_  
9/5/90

Date

**FHWA DETERMINATION:**

Based on the evaluation of this proposal, it is determined that it meets the criteria of and is properly classified as a Categorical Exclusion.

*(original signed by)*

\_\_\_\_\_  
FHWA Division Administrator

\_\_\_\_\_  
9/7/90

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## CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION

### Seismic Safety Retrofit Project Pursuant to Streets and Highways Code Article 4.8

**Proposal Description and Purpose:** This determination is solely for seismic retrofits of existing publicly owned bridges on the State highway system, city and county, and other public road systems. It includes pedestrian structures and rail transit structures. The work includes deck restrainers which tie superstructure members together and to columns or piers with cables, enlarging or modifying footings for increased capacity, and retrofitting columns with steel sheathing, partial column reconstruction, or similar means. All work is to be performed within existing right-of-way. There will be no change in the overall general structure appearance.

#### Categorical Exclusion (NEPA)

The action does not have any significant environmental impacts as described in 23 CFR 771.117(a). A project under this proposal does not involve direct work in wetlands or historic properties eligible of the National Register.

#### Caltrans Determination:

Based on an examination of this proposal, it is determined that it is environmentally exempt, Class 1, Section 1510.1 of Caltrans Environmental Regulations (CEQA), and it is determined to be categorically excluded.

*(originally signed by)*

\_\_\_\_\_  
Chief, Caltrans Environmental Analysis

1/31/90

\_\_\_\_\_  
Date

#### FHWA Determination:

Based on the evaluation of this proposal, it is determined that it meets the criteria of and is properly classified as a Categorical Exclusion.

*(originally signed by)*

\_\_\_\_\_  
FHWA Division Administrator

2/5/90

\_\_\_\_\_  
Date

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## PROGRAMMATIC CATEGORICAL EXCLUSION/ CATEGORICAL EXCLUSION DETERMINATION

Local agency (Dist.-Co-Route-Agency): \_\_\_\_\_

Project Number (Fed. Prog. Prefix, Proj. No., Agr. No.): \_\_\_\_\_

Project Location:

Project Description and Purpose *(Briefly describe proposal, purpose, location, limits, and right-of-way requirements):*

### RECOMMENDATION

1. This project does not have a significant effect on the environment as defined by the NEPA.
2. This project does not involve substantial controversy on environmental grounds.
3. This project does not involve significant impacts on properties protected by Section 4(f) of the DOT Act or Section 106 of the National Historic Preservation Act.
4. This project is not inconsistent with any Federal, State or local law or administrative determination relating to the environmental aspects of the action.

Based on the Preliminary Environmental Study (PES) form and supporting information attached, it is recommended that this project is a Categorical Exclusion

\_\_\_\_\_  
Signature - local agency

\_\_\_\_\_  
Date

### PROGRAMMATIC CATEGORICAL EXCLUSION DETERMINATION

Based on an examination of the proposal, Preliminary Environmental Study (PES) form, and supporting information, it is determined that all conditions of the following Programmatic Categorical Exclusion have been satisfied:

\_\_\_\_\_ February 5, 1990, Seismic Safety Project

\_\_\_\_\_ September 7, 1990, Individual Impact-Based Project

\_\_\_\_\_  
Signature - Caltrans District Local Assistance Engineer

\_\_\_\_\_  
Date

OR

### CATEGORICAL EXCLUSION DETERMINATION

Based on the Preliminary Environmental Study and supporting information, this project meets the criteria for a Categorical Exclusion, Class II action as described in 23 CFR 771.117.

\_\_\_\_\_  
Signature - Caltrans District Local Assistance Engineer

\_\_\_\_\_  
Date

Approval:

\_\_\_\_\_  
Signature - FHWA Transportation Engineer

\_\_\_\_\_  
Date

#### **Distribution:**

Original: District Local Assistance Engineer

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## **TYPES OF ACTIONS THAT QUALIFY FOR A CATEGORICAL EXCLUSION (WHEN NO UNUSUAL CIRCUMSTANCES EXIST)**

The following actions are categorical exclusions.

1. Planning and technical studies which do not fund the construction of facilities or acquisition of capital equipment.
2. Grants for training and research programs which do not involve construction.
3. Approval of a unified planning work program and certification of a State or local planning process, 23 CFR Part 450.
4. Approval of Transportation Improvement Programs under 23 CFR Part 450, Subpart C and statewide programs under 23 CFR Part 630, Subpart A.
5. Approval of project concepts under 23 CFR Part 476.
6. Engineering when undertaken to define the elements of a proposal of alternatives sufficiently so that environmental effects can be assessed.
7. Federal-aid highways system revisions under 23 USC 103, which establishes classes of highways on the Federal-aid highway system.
8. Approval of utility installations along or across a transportation facility.
9. Reconstruction or modification of an existing bridge structure on essentially the same alignment or location (e.g.; widening less than a single travel lane, adding shoulders or safety lanes, walkways, bikeways, or pipelines) except bridges on or eligible for inclusion on the National Register or bridges providing access to barrier islands. Reconstruction or modification of an existing one-lane bridge structure, presently serviced by a two-lane road and used for two-lane traffic, to a two-lane bridge on essentially the same alignment or location, except bridges on or eligible for inclusion on the National Register or bridges providing access to barrier islands.
10. Construction of bicycle and pedestrian lanes, paths, and facilities.
11. Activity included in the State's "highway safety plan" under 23 USC 402.
12. Transfer of Federal lands pursuant to 23 USC 317 when the subsequent action is not an FHWA action.
13. Modernization of an existing highway by resurfacing, restoration, rehabilitation, widening less than a single lane width, adding shoulders, adding auxiliary lanes for localized purposes (e.g.; weaving, turning, climbing), and correcting substandard curves and intersections. This classification is not applicable when the proposed project requires acquisition of more than minor amounts of right of way or substantial changes in access control.
14. Highway safety or traffic operations improvement projects including the correction or improvement of high hazard locations elimination of roadside obstacles; highway signing; pavement markings; traffic control devices; railroad warning devices; and lighting. This classification is not applicable when the proposed action requires acquisition of more than minor amounts of right of way or substantial changes in



access control.

15. Alterations to existing building to provide for noise reduction and the installation of noise barriers.
16. Ridesharing activities and transportation corridor fringe parking facilities.
17. Landscaping.
18. Program administration and technical assistance activities by the applicant to administer Section 18 funds (Rural public transportation program).
19. Project administration and operating assistance to transit authorities to continue existing service or increase service to meet demand.
20. Purchase of vehicles of the same type (same mode) either as replacements or to increase the size of the fleet where such increase can be accommodated by existing facilities or by new facilities which themselves are within a categorical exclusion.
21. Track and rail bed maintenance and improvements when carried out within the existing right of way.
22. Rehabilitation or reconstruction of existing rail and bus buildings and ancillary facilities where no additional land is required and there is no substantial increase in the number of users.
23. Purchase and installation of operating or maintenance equipment to be located within the transit facility and with no significant physical impacts off the site.
24. Installation of signs, small passenger and bus shelters, and traffic signs where no substantial land acquisition or traffic disruption will occur.
25. Construction of new bus storage and maintenance facilities in areas used predominantly for industrial or transportation purposes where such construction is not inconsistent with existing zoning and located on or near a street with adequate capacity to handle anticipated bus and support vehicle traffic.
26. Acquisition of land in which the property will not be modified, the land use will not be changed, and displacements will not occur. For projects other than UMTA advance land loans, this categorical exclusion is limited to the acquisition of minor amounts of land. This is undertaken for the purpose of maintaining the current land use and preserving alternatives to be considered in the environmental process. Advance land acquisition shall not limit the evaluation of alternatives, including shifts in alignment for a construction project, which may be required in the NEPA process.
27. Promulgation of rules, regulations, and directives for which a regulatory analysis is not required by Section 3 of Executive Order 12044.
28. Research activities as defined in 23 USC 307.
29. Emergency repairs under 23 USC 125 which do not substantially change the design and are commenced during or immediately after the occurrence of a natural disaster or catastrophic failure.

The above list has been taken from 23 CFR 771.

**SAMPLE TRANSMITTAL LETTER  
TO THE DISTRICT LOCAL ASSISTANCE ENGINEER**

*Local Agency Letterhead*

Department of Transportation  
District \_\_\_\_  
\_\_\_\_\_  
Attn: \_\_\_\_\_  
Local Assistance Engineer

Date  
Project  
Federal Project #  
Description

\_\_\_\_\_(Local Agency)\_\_\_\_\_ is proposing to \_\_\_\_\_(brief description of project)\_\_\_\_\_.

The following items are provided for your review and consideration

- ☐ PES FORM (COMPLETED & SIGNED)
- ☐ PROGRAMMATIC CATEGORICAL EXCLUSION/CATEGORICAL EXCLUSION DETERMINATION (FORM), CONTAINING THE FOLLOWING:
  - ☐ A DETAILED DESCRIPTION OF THE PROJECT LOCATION/SETTING (INCLUDING LAND USES)
  - ☐ DETAILED DESCRIPTION OF PROJECT AND PURPOSE
  - ☐ MAP (SHOWING PROJECT AREA, PROJECT LIMITS AND RIGHT-OF-WAY OWNERSHIP)
  - ☐ RESEARCH FINDINGS/FIELD NOTES AND ANY CORRESPONDENCE FROM RESOURCE AND/OR REGULATORY AGENCIES USED TO ANSWER QUESTIONS ON PES FORM
  - ☐ MINIMAL AREA OF POTENTIAL EFFECT (APE) (IF APPLICABLE)
- ☐ FIELD REVIEW FORM

IF ADDITIONAL INFORMATION IS NEEDED, PLEASE CONTACT \_\_\_\_\_  
AT \_\_\_\_\_.

**Distribution:**

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